



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

BOARD MEETING NOTICE

Thursday, July 28, 2005, 3:30 p.m.

CMA Board Room

1333 Broadway, Suite 220

Oakland, California 94612

(see map on last page of agenda)

Chair: Councilmember Larry Reid

Vice Chair: Supervisor Scott Haggerty

Executive Director: Dennis R. Fay

Secretary: Christina Muller

Notice: Planning Area 1 (Northern Alameda County) will meet immediately following the Board meeting to elect its representatives to the CMA's Committees

AGENDA

"Copies of individual Agenda Items are available on the CMA's Website"

1.0 ROLL CALL Confirm Quorum 3:30 p.m.

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

Members of the public may address the Board during "Public Comment" on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the CMA Board. Anyone wishing to comment should make his or her desire known to the Chair.

4.0 CHAIR'S/VICE-CHAIR'S REPORT Information/Action 3:35 p.m.

5.0 EXECUTIVE DIRECTOR'S REPORT*(page1) Information/Action 3:40 p.m.

6.0 CONSENT CALENDAR Approval 3:45 p.m.

6.1 Meeting Minutes June 23, 2005* (page 33)

6.2 Financial Reports: June 2005* (page 37)

Consent Items recommended by the following committees:

6.3 Plans & Programs Committee

**6.3.1 Transportation Fund for Clean Air (TFCA):
Quarterly At Risk Report* (page 45)**

It is recommended that the Board approve the attached Quarterly At Risk report for local projects included in the TFCA program.

6.3.2 Federal Surface Transportation Program (STP)/Congestion Mitigation & Air Quality (CMAQ) Program: Quarterly At Risk Report* (page 53)

It is recommended that the Board approve the attached Quarterly At Risk report for local projects programmed in the STP/CMAQ Program.

6.4 Administration & Legislation Committee

6.4.1 Federal, State and Local Funding: Local and Small Business Policies* (page 59)

Federal, State and local funding sources are subject to various rules and restrictions regarding local business preferences and DBE goals. It is recommended that the Board approve the attached local business enterprise policy. The existing small business enterprise policy is also attached for the Board's information. These policies focus on reporting and outreach rather than preferences or goals.

6.4.2 I-680 SMART Carpool Lane: Public Outreach Contract* (page 65)

The I-680 Smart Carpool Lane project is in the environmental and preliminary design phase. High Occupancy Toll lanes are a new concept in the Bay Area and input is needed from the public and stakeholders on the proposed design and operations of the Smart Lane. Staff is seeking consultant services for public outreach for open house meetings, stakeholder interviews and facilitation of Task Force meetings over the next eighteen months. The services will be funded with a combination of Measure B and federal funds. It is recommended that the Board authorize the Executive Director to execute agreements for consultant services for public outreach in an amount not to exceed \$150,000.

6.4.3 Telegraph/International Rapid Bus Corridor: Amendment to Agreement with AC Transit for Additional Work* (page 67)

AC Transit has requested the addition of the Broadway/20th Street Modification Project and a number of other minor items of work as a part of the E. 14th Street/International/Telegraph Rapid Bus project. The estimated total cost for this additional work is \$2,838,110. It is recommended that CMA Board:

1. Authorize the Executive Director to negotiate and execute an amendment to the agreement with AC Transit for the 20th Street Modification Project and other items of work, not to exceed \$2,838,110.
2. Authorize the Executive Director to execute all necessary agreements required for the activities related to these additional items such as professional services, including design and construction management, and equipment.

This action does not include entering into construction contracts, which will be brought back to the Board for award.

***** END OF CONSENT ITEMS *****

7.0 PLANS & PROGRAMS COMMITTEE REPORTS Information/Action 3:50 p.m.

7.1 Congestion Management Program (CMP): 2005 Draft* (page 71)

It is recommended that the Board approve the Draft 2005 Congestion Management Program and authorize staff to circulate it for comment. A full copy of the draft was sent to each Board member as part of the Committee mailings in early July; please refer to this copy. A copy of the document can also be found on the CMA's website. The draft document will be transmitted to the Metropolitan Transportation Commission upon approval by the Board. The final 2005 CMP will be scheduled for action, including a public hearing, based on the schedule for the adoption of the State Transportation Improvement Program.

**8.0 ADMINISTRATION & LEGISLATION
COMMITTEE REPORTS**

Information/Action 4:00 p.m.

8.1 International/Telegraph Rapid Bus Project: Award of Construction Contracts* (page 73)

On March 24, 2005, the CMA Board authorized the Executive Director to issue a series of Request for Bids for equipment procurement and construction elements of this project. CMA and AC Transit's goal is to deliver the Transit Signal Priority elements of the project by June 26, 2006. It is recommended that the CMA Board take the following actions:

1. Authorize the Executive Director to award and sign a contract with Ray's Electric, the apparent low bidder, for the amount of \$590,170.00, for the Broadway Project.
2. Authorize the Executive Director to award and sign a contract with Stieny and Company, Inc., the apparent low bidder, for the amount of \$3,680,353.00, for the Telegraph Project.
3. Allocate a 10% contingency for each contract for the amount of \$59,017 for the Broadway Project and \$368,035 for the Telegraph Project; and to authorize the Executive Director or his designee, to issue Contract Change Order(s) up to the designated amounts, if needed, through the course of the construction of the project.

9.0 AC TRANSIT INT'L/TELEGRAPH AVE CORRIDOR RAPID BUS

4:10 p.m.

The AC Transit rapid bus corridor on Int'l and Telegraph is one of the CMA's five high priority projects. AC Transit staff will provide the Board with an update on the status of this project and other rapid bus corridors.

10.0 I-580 and I-680 FAIR LANES STUDY

4:20 p.m.

Staff will provide the Board with an overview of the results of this recently completed study.

11.0 OTHER BUSINESS

12.0 ADJOURNMENT

4:30 p.m.

* Attachment enclosed for members and key staff.

** Materials will be handed out at the meeting.

(#) All items on the agenda are subject to action and/or change by the CMA Board. Times for agenda items are approximate.

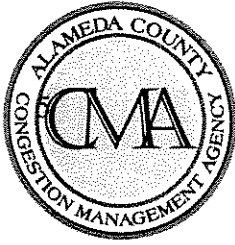
*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

NEXT MEETINGS

THURSDAY, September 22, 2005; 3:30 P.M.; CMA Board Room, Oakland

THURSDAY, October 27, 2005; 3:30 P.M.; CMA Board Room, Oakland

THURSDAY, November 17, 2005; 3:30 P.M.; CMA Board Room, Oakland



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MEMORANDUM

*July 28, 2005
Agenda Item 5.0*

DATE: July 20, 2005
TO: Congestion Management Agency Board
FROM: Dennis R. Fay, Executive Director *DRF*
SUBJECT: EXECUTIVE DIRECTOR'S REPORT

Correspondence

We have received the attached letter from Supervisors Miley and Haggerty regarding MTC creating a freight advisory board.

Sacramento Report

I have attached a report from the CMA's Sacramento representative.

Washington Report

I have attached a report from the CMA's Washington, DC representative.

CMA Exchange Program – Status Report

The CMA has received a total of \$38.06 million in payments from exchange project sponsors including \$20.18 million from AC Transit, \$8.1 million from BART, \$2.20 million from the City of Fremont, \$4.23 million from the City of Dublin, and \$3.52 million from the City of Livermore. The City of Livermore has the only remaining original exchange project that requires reimbursement to the CMA. The City of Livermore's remaining balance owed to the CMA Exchange program is \$83,000 which is expected to be completed by September.

Status of Corridor Studies/Projects

I-580 HOV Lane Project –A public information meeting is scheduled for July 28th in Livermore. The meeting will include information on improvements to Route 84 sponsored by ACTIA and improvements to the Isabel/I-580 interchange sponsored by the City of Livermore. The administrative draft operations report is being reviewed. The environmental and design consultants are working together to identify the design of the facility. The final design will serve as the project description for the environmental document. A preliminary risk assessment has been completed. The administrative draft environmental document is scheduled to be completed at the end of summer. Phase 1 of the project will provide an interim eastbound HOV lane to commuters on I-580 between Tassajara Road in Pleasanton and Greenville Road in Livermore.

The CMA is partnering with Caltrans in the preliminary engineering of the Phase 1 project, with Caltrans completing work for required design exceptions and providing design oversight. Upon approval of the eastbound-only environmental document, the CMA's design consultant will proceed with final design of the Phase 1 project. For the ultimate project, Caltrans will perform preliminary engineering activities with CMA oversight.

I-580/I-680 Interchange Modifications – The CMA is partnering with Caltrans in the development of a Project Study Report (PSR) for the I-580/I-680 Interchange Modification Project. Caltrans will be the lead agency responsible for the preparation of the PSR, supplemented by a CMA consultant support services team as necessary to maintain an expedited delivery schedule. A request for proposals to provide supplemental staff support to Caltrans will be issued by Fall 2005. The PSR will evaluate options for direct connector structures for two critical commute movements: 1) westbound I-580 HOV to southbound I-680 HOV; and 2) northbound I-680 HOV to eastbound I-580 HOV. The PSR will be used in evaluating the ultimate improvements required for the I-580 corridor, and is anticipated to be completed in 2006. This project is being developed as a portion of the I-580 Corridor RM2 Project, for which MTC allocated \$6 million in late 2004.

I-680 HOV Lane Project – Sound wall Construction – The contract is at about 81% of the allotted time and the project is approximately 81% complete. The project completion will be delayed to August 2005 due to a combination of weather delays and the addition of a new wall to the project scope. The project is one of the components of the overall I-680 Corridor Improvements. Work along the overall corridor includes excavation, grading, constructing shoring walls, constructing pile cap, constructing retaining walls, and installing masonry block. A detailed project status by wall group is available on the ACCMA web page as well as job site photos.

I-680 Southbound HOV Lane Project – The CMA is partnering with Caltrans on the design of this project, with a CMA design consultant developing plans for all structure modifications required in the corridor and Caltrans completing all civil design. Final design is being coordinated to incorporate the SMART Lane components. Construction is scheduled to begin in 2006 subject to the availability of funds in the STIP.

I-680 SMART Carpool Lane Project – Caltrans has approved the methodology for the operations model resulting in completing the analysis for 3 alternatives. The administrative draft of the Concept of Operations is complete. An RFP for public outreach was issued; proposals are due August 4th. The first Policy Advisory Committee meeting is scheduled for August 4th at the Fremont City Offices.

Tri-Valley Triangle Analysis – Alternates to the Policy Advisory Committee have been selected by each of the jurisdictions. The TAC has been meeting to approve the validation for the operations model and to beginning development of the alternative packages.

I-880 Corridor – In October, MTC allocated RM2 funds for project development on the northern portion of I-880 in Oakland. This project will provide operational and safety improvements to northbound I-880 at 29th Avenue by reconfiguring the on- and off-ramps, as well as mitigating

noise impacts of the project. A request for proposals for project development and preliminary engineering services was released January and nine proposals were received. The Korve/RBF Team was selected to perform the project development work for the project and a notice to proceed was issued in early May.

I-880 Corridor System Management Study – This study, sponsored by Caltrans, will provide a detailed evaluation of the I-880 corridor to determine what transportation strategies make the most sense and when they should be implemented. Caltrans made a presentation on the scope of work and the status of the study to the I-880 Steering Committee on December 13, 2004. Currently, data input and simulation model development are in progress. Upon completion of initial model development, Caltrans will be able to provide a status report on the study.

Ardenwood Park & Ride Lot Project – This project will acquire a site near the Route 84 / Ardenwood Boulevard Interchange in Fremont to expand an existing park-and-ride lot, which is operating at capacity. The expansion is expected to provide over 100 new parking stalls for commuters. The project is funded solely by Regional Measure 2 (RM2); an Initial Project Report and allocation was approved by MTC in late 2004. The CMA is co-sponsoring this project with AC Transit, and the CMA is taking the lead as the implementing agency. Staff is pursuing a Categorical Exemption as the environmental document for this project, and expects to complete the CE by late summer 2005. Right of way acquisition and final design will begin shortly after the environmental document is approved.

BART to Silicon Valley (Silicon Valley Rapid Transit Corridor-SVRTC) – The Final EIR was complete in 2002. The EIS and Supplemental EIR, which includes modifications to the original project such as structural engineering options that provide cost saving options along the alignment, will begin this summer. The EIS and Supplemental EIR are expected to be complete early 2007.

Caldecott Tunnel 4th Bore - The Project Leadership Team (PLT), comprised of representatives from the ACCMA, CCTA and Caltrans continue to meet on a monthly basis to discuss the project development process for the project as well as a process for outreach to the public and other local agencies. Caltrans and the consultant team are continuing the combined effort of completing the environmental documentation for the project. A draft environmental document is scheduled for release late in 2005. The Preliminary Project Report, which will provide more detailed cost estimates for the project, is scheduled to be released in August.

Community Based Transportation Plan: West Oakland – MTC approved funding for a Community Based Transportation Plan in West Oakland. A consultant has been selected to prepare the West Oakland Plan. The project will be initiated in August 2005.

Dumbarton Rail Corridor – Phase 1 of the EIR/EIS process, focusing on alternatives analysis, will be complete November-December 2005. Phase 2, which will analyze 1 rail alternative and 1 bus alternative, will be complete June 2006. The parties are developing funding agreements for the first phase among ACTIA, VTA and San Mateo and principles for governance and operation, which will be finalized prior to construction.

Dynamic Ridesharing – A kiosk has been installed at the Dublin/Pleasanton BART station, initial marketing was undertaken and comprehensive testing of the software is complete. Once the remaining logistics of taxi service (guaranteed ride home), overflow parking, and the Call Center transition from RIDES to PB are resolved, the program will begin a “soft launch” to a select group in September 2005. Over 70 people have requested to register in the program, about 40 of whom qualify as living within the geographic area covered in the program.

FAIR Lanes – The Task Force will meet on July 19th to approve the final report. The consultants will make a presentation to the CMA Board on July 28th on the findings of the study.

Grand/MacArthur Corridor Transit Enhancements CMA and AC Transit are the joint sponsors of the Regional Express Bus program that is funded by Regional Measure 2. A component of this project is the transit enhancements along Grand/MacArthur Corridor starting at 106th Avenue and ending at Maritime for the Bay Bridge access. This project includes a transit operations analysis and design and construction of various traffic signal modifications along this corridor. In addition to the RM 2 funds, the Air District recently approved a TFCA grant application that was jointly submitted by CMA and AC Transit that includes \$205,000 for the installation of Transit Signal Priority components in the Corridor. The total budget for this phase of the Grand/MacArthur Corridor enhancement is \$1,248,000. A Request for Proposals was released in April 2005 for consultant services to conduct a transit operations and traffic engineering analysis for this corridor. A total of four proposals were received on May 19, 2005. DKS and Associates of Oakland was selected and the contract is being processed. The construction is expected to start in 2006. However, equipment such as traffic signal controller assembly and cabinets will be procured by the end of calendar year 2005.

Rapid Bus and SMART Corridor on International/Broadway/Telegraph - CMA staff is coordinating the work with AC Transit, on the implementation of this new Rapid Bus corridor. This corridor starts at the Bay Fair BART station, in the city of San Leandro and includes portions of E 14th/International Boulevard, Broadway, Telegraph in the cities of Oakland, and Berkeley. The length of this corridor is about 18 miles, and carries about 30,000 daily transit riders. CMA staff has secured three separate TFCA grants totaling \$1.4 million to supplement measure B funds provided to AC Transit by ACTIA. This project has a very aggressive schedule and is being fast tracked to meet the June 26, 2006 deadline for the start of service by AC Transit. It is expected that CMA would administer multiple procurement and construction contracts that may run concurrently to meet the schedule. The CMA Board has authorized staff to solicit multiple calls for bids for equipment and construction. The design for E 14th/International and Telegraph has been completed. The Bids for the traffic signal controllers and cabinets were received on May 12th. McCain Traffic supplies, inc. was the lowest, responsive bidder. The Bids for construction on Broadway were rejected as only one bid was received that was much greater than the engineer's estimate of probable costs. CMA re-advertised the Broadway work on June 15, 2005, following an outreach to the contractor community. Bids for both Telegraph Avenue, and Broadway were received on July 14, 2005. The lowest responsive bidders were Ray's Electric and Steiny for Broadway and Telegraph respectively. E 14th/International work will be advertised in August following the review and permit process from Caltrans. Based on a request from AC Transit, CMA is also assisting AC Transit with street improvements on 20th Street between Broadway and Telegraph. The

improvements are necessary prior to inauguration of the International/Telegraph Rapid Bus project. CMA has also delivered the 34th Avenue improvements, which were requested by AC Transit prior to the deadline of July 1, 2005 for an early phase of the International/Telegraph Avenue Rapid Bus project. The on-time delivery of the requested project allowed a request by AC Transit for accessing \$3 Million of Operations and Management (O&M) funded by RM-2.

Route 84 HOV – Dumbarton Corridor - In October MTC allocated \$2 million in RM 2 funds to the CMA for the design of HOV improvements on Route 84 in the Dumbarton Corridor. The CMA is coordinating development of this project with Caltrans.

San Pablo Avenue Corridor – The San Pablo Policy Advisory Committee met on July 14th for an update on the remaining improvements to the Rapid stops. The consultant for AC Transit met with city, AC Transit and CMA staff, elected officials and bus shelter advertising representatives at all the Rapid Bus stops to confirm improvements. The consultant will complete a draft report of improvements and costs on August 19th. They will provide an update and request input at the next PAC meeting on September 8th.

SMART Corridors Program – The CMA Board and West Contra Costa County Transportation Advisory Committee (WCCTAC) as well as the participating agencies have adopted the plan for the Operations and Management of the current system. A minor contract was issued to the construction contractor to act as interim maintenance contractor to allow CMA to issue a request for bids and secure a permanent maintenance contractor to assist the project stakeholders in maintaining field equipment. There are 135 Closed Circuit TV (CCTV) cameras which are streaming video images, 49 vehicle detector stations are reporting the speed and volume of traffic along the arterials on continuous basis. The public WEB site address for the SMART Corridors is: <http://www.smartcorridors.com>. Emitters have been supplied to the first responders for safe and fast deployment to incidents on freeways and surface streets. Additionally, on-board data terminals have been provided to the fire departments for real-time viewing of traffic congestion, video and incidents prior and as dispatched to incidents. CMA staff is working with the Tri-Valley smart corridor agencies including cities of Pleasanton, Dublin, and Livermore, as well as the Alameda County, Caltrans, and LAVTA for inclusion in the East Bay SMART Corridors. The synergy would allow a much more effective management of regional congestion, and would allow a more unified approach for common issues such as Operations and Management (O&M) of the existing and future deployments of the corridors.

Guaranteed Ride Home Program – The Annual Program Evaluation was approved by the Board and is posted on the CMA website. The program was initiated in April 1998. One hundred and twenty six employers and 3,352 employees are registered in the program, and 954 rides have been taken, including 39 rental car rides in the countywide rental car program. The average cost per taxi trip is now \$80.62 and the average trip length is 39.01 miles. The average trip distance for a rental car ride is 87.35 miles and the cost per rental car use is \$55.00. Using the rental car saves \$77.00 for each average 65-mile trip.

Transportation and Land Use Program (T Plus) – Following the CMA Board recommendation in May 2005, staff is preparing a draft scope and budget and potential fund sources for a Transit Oriented Development (TOD) consultant pool and a TOD project fund monitor. Staff is also

updating the CMA website to include a user friendly Transportation and Land Use section. The next TAC will be held July 21st.

Environmental Documents/General Plan Amendments Reviewed

Since my last report, staff has reviewed ten environmental documents, notices of preparation or general plan amendments. Responses were prepared for two of them and they are attached.

CMA Board and Committee Meeting Dates

Board meetings will be at 3:30 p.m. Plans & Programs Committee meetings will be at 10:15 a.m. in the CMA offices in Oakland unless otherwise noted. Administration & Legislation Committee meetings will be at 9:30 a.m. in the CMA offices in Oakland unless otherwise noted.

<u>CMA Board</u>	<u>Plans & Programs</u>	<u>Administration & Legislation</u>
August (no meeting)	August (no meeting)	August (no meeting)
September 22, 2005	September 12, 2005	September 12, 2005
October 27, 2005	October 10, 2005	October 10, 2005
November 17, 2005	November 7, 2005	November 7, 2005
December 22, 2005	December 12, 2005	December 12, 2005
January 26, 2006	January 9, 2006	January 9, 2006

Voice Mail Numbers for Staff

10	Claudia Magadan	16	Frank Furger
11	Jean Hart	17	Vicki Winn
12	Dennis Fay	19	Christina Muller
13	Diane Stark	21	Yvonne Chan
14	Cyrus Minoofar	22	Agnas Gooden
15	Matt Todd	24	Saravana Suthanthira
		27	Stefan Garcia

ALAMEDA COUNTY BOARD OF SUPERVISORS



July 13, 2005

Jon Rubin
Chairman, Metropolitan Transportation Commission
101 Eighth Street
Oakland, Ca 94607

RECEIVED
JUL 15 2005

BY: _____

Re: MTC Freight Advisory Board

Dear Mr. Rubin,

As you are aware, Northern California is currently facing a severe goods movement challenge affecting the Bay Area's critical transportation corridors. Commercial freight activity continues to increase rapidly, affecting mobility, environmental quality, and safety throughout the region. The Commission has made significant progress over the past year with the sponsorship of the 2004 goods movement study and by updating the Regional Transportation Plan to incorporate goods movement as an integral element. Recent attention by the State has placed Bay Area projects in the statewide plan. Phase 2 of the State Goods Movement Action Plan will likely call for the creation of corridor committees.

As a next step, and to facilitate our efforts, this Board's transportation committee recommends that MTC consider moving forward to create of a Freight Advisory Board. This was also recommended in the MTC Goods Movement Study of 2004. Northern California needs to bring business and community leadership together as it works towards the resolution of these issues. A Freight Advisory Board could begin this process by working with staff and advising the commission on best industry practices and key investments to address congestion and escalating emission problems. We further encourage MTC to work with ABAG and BAAQMD to fund and hire a Goods Movement Coordinator to work with municipalities and appropriate agencies towards addressing these issues.

Considering the current Northern California goods movement situation and its dramatic projected rate of growth, this is a particularly opportune time to act. Investment alone, however, cannot address these issues and we need to promote changes in logistics and operations through industry reforms. I hope the Commission will continue to confront Northern California's goods movement challenges with us. Thanks you for your support and consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Nate Miley".

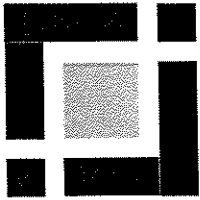
Nate Miley, Chair
Transportation and Planning Committee

A handwritten signature in black ink, appearing to read "Scott Haggerty".

Scott Haggerty, Vice Chair
Transportation and Planning Committee

NM:SH

c: Each Member, Board of Supervisors
Steve Hemminger, Executive Director, MTC
Susan Muranishi, Alameda County Administrator
Dennis Fay, Executive Director, ACCMA
Bruce Kern, EDAB
Doug Kimsey, Director of Planning, MTC



Lynn M. Suter

and Associates

Government Relations

July 20, 2005

TO: Dennis Fay, Executive Director
Alameda County Congestion Management Agency

FR: Lynn M. Suter & Associates

RE: Legislative Update

Recessing: With the budget completed, the Legislature adjourned on July 15 for a month long summer recess. While negotiations continue this week on reaching a compromise on several of the initiatives on the November ballot, a compromise agreement is highly unlikely and the Legislature is not expected to return until August 15th.

Bay Bridge Funding Agreement: The Governor signed into law AB 144 (Hancock), which enacts the Toll Bridge Funding agreement. Last week the new LA Mayor stepped into the fray opposing AB 144 in a last minute effort to include special concessions for his City. While the Assembly approved the funding agreement, last minute negotiations produced a clean-up bill, SB 66, which the Assembly approved before leaving town for summer recess.

SB 66 makes some necessary clarifying changes, and as a concession to LA it requires the CTC to revise how the Commission prioritizes reimbursing local agencies that advance local funds for state highway projects. This process is known as receiving a "letter of no prejudice" from the CTC. The changes contained in SB 66 do not appear to impact projects in Alameda County. If there are any impacts, please let us know as soon as possible, because the Senate must still vote on SB 66 when it returns in August.

The following outlines the contents of the agreement and the changes that SB 66 will make if approved. If you have any questions or would like additional details on the funding agreement please contact our office.

Administrative Elements:

- Creates the Toll Bridge Program Oversight Committee consisting of the directors of Caltrans, the California Transportation Commission, and the Bay Area Toll Authority.
 - The Oversight Committee shall implement oversight and project control process for the toll bridges.
 - Caltrans will provide monthly reports to the Oversight Commission and quarterly reports to the Legislature, the Governor, and the California Transportation Commission.
-

- Caltrans shall implement a comprehensive risk management program as specified in the bill for the Toll Bridge Program.
- The CTC shall adopt by December 31, 2005 a schedule for the payment of the remaining contributions to be made by the state.

Financing Elements:

- \$2.15 billion derived from a \$1 dollar toll increase affective January 1, 2007.
- \$820 million made available through the consolidation of toll revenues under BATA and refinancing of existing debt.
- \$300 million from the state highway operations and protection program, or the federal Highway Bridge Replacement and Rehabilitation program for the demolition of the existing east span.
- \$130 million from the State Highway Account from operational savings achieved by Caltrans.
- \$125 million in “spill over” funds that may be available in the 2006-07 fiscal year. If these funds are not available, SB 66 limits the source of funding to the following: addition operational savings achieved by Caltrans, federal Highway Bridge Replacement and Rehabilitation Program funds, or the State Highway Account. The CTC must approve any use of additional SHA funds. AB 144 allowed any shortfall to be made-up from any transportation fund account.
- \$75 million from the Motor Vehicle Account.
- If the overruns are less than anticipated the savings shall be proportionally divided between the state and BATA.
- If the overruns exceed the cost estimate, the shortfall shall be the responsibility of BATA to finance. BATA is authorized to use its authority to refinance debt, use existing seismic surcharge revenue, use other available toll revenue, or increase tolls.

Letter of No Prejudice:

Commencing with the 2006-07 fiscal year, the CTC is required to review its guidelines to assure agencies that received a letter of no prejudice prior to June 30, 2005 are reimbursed on an equitable basis. A letter of no prejudice allows a local agency to use its own funds to advance a project with the commitment that the state will reimburse the local agency for the state’s share at a later date. SB 66 requires the CTC to take into consideration the following factors when revising its guidelines:

- The impact on allocations for other projects funded under the Traffic Congestion Relief Program (TCRP).
- The cash flow requirements for TCRP projects.
- The extent that local agencies have been forced to defer work on other STIP or TCRP projects because the agency advanced local funds.
- The extent to which the reimbursement would be used for construction of other STIP or TCRP projects.
- The adverse impact to other projects by postponing reimbursement until after project completion as opposed to reimbursement based on the amount of funds expended to date.

- The level of commitment made by an agency in expending its own funds for any component of a TCRP project.

In addition, SB 66 prevents the CTC from increasing the maximum percentage of funding allocated to reimbursement beyond the maximum percentage in affect as of June 30, 2005.

Budget Signed! Touting the Budget as a “terrific” bipartisan plan, the Gov signed the Budget last week. The Budget provides \$1.2 billion to fully repay the VLF Gap Loan, provides \$1.3 billion to fund Proposition 42 transportation projects, and retains funding for IHSS. Key cuts include elimination of the county Property Tax Administration Grant Program (\$60 million), and suspending the CalWORKS and SSI/SSP State COLA’s for two years. The Governor also used his “blue pencil” to reduce the \$50 million augmentation to county CalWORKS Administration by \$25 million, eliminate the \$25 million augmentation to Food Stamps Administration, and eliminate all funding for the Environmental Enhancement & Mitigation Program (EEMP).

Transportation Budget: The following is a summary of the main transportation funding elements that are contained in the budget bills and in AB 127, which is the budget trailer bill for transportation.

Prop 42: Prop 42 is funded at \$1.313 billion. The funds would be allocated pursuant to the statutory formula that splits the revenue as follows:

- \$678 million is allocated to Traffic Congestion Relief Program project,
- \$254 million to STIP projects,
- \$254 million is split between cities and counties for local street and road maintenance, and
- \$127 million to the Public Transportation Account (PTA) where half is deposited into the State Transit Assistance account.

Caltrans Savings: Operational savings within Caltrans will allow an additional \$51.6 million to be deposited into the State Highway Account. Over the course of the 2006 STIP cycle, these savings will provide \$250 million in added programming capacity. However, the toll bridge financing agreement will divert at least \$130 million of these savings to the Toll Bridge Seismic Retrofit program.

State Transit Assistance (STA): STA is funded at \$202.3 million for 2005-06. This includes the base formula allocation of \$137.3 million and \$65 million provided by funding Proposition 42. . The MTC region will receive approximately \$73 million in STA funds in 2005-06 of which AC Transit is in line for about \$7 million.

PTA Spillover: The Budget retains in the general fund \$380 million in spill over funds. In addition, the budget agreement also takes \$200 million in spill over funds anticipated in 2006-07.

Estimates for 2006-07 predict the spill over will reach \$330 million. With the 2005-06 budget already planning to taking \$200 million in spill over funds in 2006-07, and the toll bridge funding agreement assuming the use of \$125 million, there will be no spill over for public transit in 2006-07.

Spill over funds occur when gasoline sales tax revenue exceeds the revenue generated from a quarter percent of all taxable sales. This revenue is normally placed in the Public Transportation Account (PTA) where it is used by public transit operators to offset spikes in fuel costs. Attempts were made to divert part of this money to State Transit Assistance, but with Prop 42 pushing STA revenue over \$200 million it was impossible gain traction.

Tribal Gaming Bonds: The budget agreement does not reduce the value of bonds, but in fact the budget trailer bill, AB 127, adds \$8 million in interest to bring the target amount to \$1.222 billion. The trailer bill also replaces the June 30, 2006 deadline for the general fund to repay certain transportation loans with the vagueness of the gaming bonds.

Based on the existing compacts, the tribal gaming bonds could generate up to \$1 billion, and new compacts could push the bond revenue up to \$1.2 billion. However, the compacts do not require the tribes to disclose their financial records, and the State Treasurer warns that this will reduce the market value of the bonds to \$800-\$900 million. The general fund is on the hook for any shortfall, but there is no deadline for the general fund to pay the difference between the amount the bonds yield and the \$1.2 billion target.

Regional Blueprint Plans: The budget includes \$5 million to be allocated as grants to metropolitan planning organizations to develop regional blueprint plans that study future land use patterns and the impact that growth will have on transportation, air quality, housing, and open space. The Governor vetoed budget bill language that dedicated 20% of these funds to be used as grants to offset the cost of performing regional housing needs assessments.

Hydrogen Highway Initiative: The budget provides \$6.5 million for this initiative. The funds will be used to lease 12 hydrogen fuel cell cars for use in state fleets, the purchase of 2 hydrogen shuttle buses, and provide partial funding for 3 publicly accessible hydrogen stations.

Environmental Enhancement & Mitigation Program (EEMP): The Governor used his blue pencil to eliminate all funding for the EEMP. The budget normally provides \$10 million per year for this program that provides grants to local entities for a wide array of projects that mitigate the impacts of transportation projects. These funds are used for highway landscaping and urban forestry projects, as well bicycle trails and roadside recreation projects. The Governor stated that the EEMP is not the best use of scarce transportation dollars.

LEGISLATION

The Legislature will return on August 15th for three frantic weeks of session. The following summarizes the bills we have been tracking that will be acted on during the final weeks. Since this is the first year of the two-year session, any bill that remains in the Legislature becomes a two-year bill that can be resurrected next year.

Bill	Topic	Status	Client-Position
AB 144 (Hancock) C-07/18/2005	Bay Area state-owned toll bridges: financing.	07/18/2005-Chaptered by Secretary of State - Chapter No. 71, Statutes of 2005 (07/18/2005-A CHAPTERED)	ACTA-Support In Concept CMA-Support In Concept (position based on Board's support position on SB 172)
NOTE: AB 144 contains the agreement for financing the Toll Bridge Seismic Retrofit Program deficit. As signed by the Governor, AB 144 maintains the existing single tower design, transfers control of the tolls to BATA, increases project oversight and reporting requirements, and increases tolls by one dollar no sooner than January 1, 2007. In exchange for the state contributing \$630 million toward the shortfall, any future overruns would be the responsibility of BATA.			
AB 267 (Daucher) A-06/01/2005	Transportation projects.	07/14/2005-From committee: Amend, and do pass as amended, and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 12. Noes 0.). (07/14/2005-S APPR.)	ACTA-Support CMA-Watch
NOTE: This bill would eliminate the 12-month time limit on CTC reimbursements to local and regional transportation agencies that spend their own funds in anticipation of a STIP allocation. The purpose of this bill is to provide local and regional transportation agencies more certainty when spending their own funds to advance a STIP project that the CTC will reimburse them for those costs. The current one-year limit on the CTC's requirement to reimburse a local or regional agency could mean			

	that the agency would never be reimbursed, especially in times of scarce STIP funding resources. The elimination of the time limit could encourage more local and regional agencies to spend their own funds on a project.		
AB 462 (Tran) A-07/13/2005	Disability access.	07/13/2005-Read second time, amended, and to third reading. (07/13/2005-S THIRD READING)	ACTA-Support CMA-Watch
	<p>NOTE: AB 462 would transfer from the Department of General Services (DGS) to Caltrans, the requirement to certify that state highway system projects comply with the intent of state provisions ensuring access and use by persons with disabilities.</p> <p>This bill codifies a recently-expired interagency agreement between Caltrans and the DGS that allowed Caltrans to certify that state highway projects complied with state law mandated access and use, by disabled persons, of state and locally-funded facilities.</p>		
AB 691 (Hancock) A-05/31/2005	Transit village plans.	06/16/2005-Read second time. To third reading. (06/16/2005-S THIRD READING)	ACTA-Support CMA-Watch
	<p>NOTE: This measure was approved by the Senate Local Government Committee, and it is currently on the Senate Third Reading File.</p> <p>AB 691 would authorize a city or county to declare that a previously adopted specific plan or redevelopment plan is also a transit village plan if the city or county adopts findings prior to December 31, 2006 stating it conforms to the definition of a transit village. The bill was amended to require the city or county to publish a notice of the time, date, and place of the public meeting if an existing plan will become a transit village plan.</p>		
AB 713 (Torrico) I-02/17/2005	Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.	06/20/2005-In committee: Set, first hearing. Hearing canceled at the request of author. (06/09/2005-S T. &	ACTA-Watch CMA-Watch

		H.)	
	<p>NOTE: AB 713 would postpone, until 2008, the scheduled November 7, 2006 vote on the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century.</p> <p>Because the Legislature does not have to act this year on rescheduling this bond proposal, AB 713 will likely become a two-year bill.</p>		
AB 1157 (Frommer) A-04/11/2005	State highways: performance measures.	06/22/2005-In committee: Hearing postponed by committee. (Refers to 6/13/2005 hearing) (06/09/2005-S T. & H.)	ACTA-Watch CMA-Watch
	<p>NOTE: AB 1157 would require Caltrans to develop performance measures for the purpose of evaluating and rating the overall quality of the state highway system. These measures would be used to develop an annual report on the quality of the state highway system that would examine how resource, staffing, and programming decisions impact the overall condition of the state highway system</p>		
AB 1462 (Torrico) A-04/14/2005	State Highway Route 84.	07/13/2005-Read second time. To third reading. (07/13/2005-S THIRD READING)	ACTA-Sponsor CMA-Support
	<p>NOTE: AB 1462 was unanimously approved by the Senate Committee on Transportation and the Senate Appropriations Committee.</p> <p>AB 1462 would allow the Cities of Fremont and Union City and the transportation planning agency to prepare and submit to the CTC for approval a local alternative transportation program for Route 84. This would allow the proceeds from the sale of excess right-of-way from the Route 84 project to be programmed to other transportation projects in Alameda County</p>		
AB 1623 (Klehs) A-06/28/2005	County transportation agencies: congestion management and environmental mitigation fee.	06/28/2005-Read second time, amended, and re-referred to Com. on APPR. (06/28/2005-S APPR.)	ACTA-Support CMA-Sponsor

<p>NOTE: AB 1623 was approved by the Senate Committee on Transportation & Housing and now moves to the Senate Appropriations Committee.</p> <p>Recently, Caltrans, the Department of Motor Vehicles, and the Highway patrol have taken an official oppose positions on all vehicle registration fee bills. While the arguments used to oppose the bills are not strong, the departments remain firm in opposing this bill. This will make securing a signature on AB 1623 nearly difficult if not impossible.</p> <p>AB 1623 would authorize the Alameda County Congestion Management Agency and the transportation agencies in Contra Costa, Marin, Napa and Sacramento to impose an annual fee of up to \$5 on motor vehicles registered within each county. The revenue would be used for traffic congestion projects, such as the Smart Corridors Program, and the mitigation of environmental impacts of motor vehicles within that county.</p>			
AB 1699 (Frommer) A-05/27/2005	Transportation: highway construction contracts: design- build projects.	07/05/2005-In committee: Hearing postponed by committee. (Refers to 7/5/2005 hearing) (06/15/2005-S T. & H.)	ACTA-Watch CMA-Watch
<p>NOTE: AB 1699 establishes a demonstration program that would authorize, until January 1, 2015, a "self help transportation agency" to utilize design-build contracts for construction projects on the state highway system with a value of \$10 million or more. The bill limits to 8 the number of project that can use design-build contracts statewide.</p>			
SB 172 (Torlakson) A-05/27/2005	Bay area state-owned toll bridges: financing.	06/13/2005-To Com. on TRANS. (06/13/2005-A TRANS.)	ACTA-Support CMA-Support
<p>NOTE: Basically all of the provisions in SB 172 were incorporated into AB 144.</p> <p>SB 172 proposed reforming the management of the toll bridge seismic retrofit program and outlined how to fund the cost overruns. With the enactment of AB 144, SB 172 will likely be amended to address other issues.</p>			

SB 275 (Torlakson) A-06/30/2005	Transportation needs assessment.	06/30/2005-Read second time. Amended. Re-referred to Com. on APPR. (06/30/2005-A APPR.)	ACTA-Support CMA-Support
	<p>NOTE: SB 275 would require the CTC, working with the Caltrans and regional transportation entities, to complete a 10-year transportation needs assessment to the Legislature by October 1, 2006.</p> <p>The needs assessment would examine the unfunded rehabilitation and operations needs for the state highway system, local streets and roads, the intercity rail program, and urban, commuter, and regional transit systems, including ferry systems, over the next 10 years.</p>		
SB 523 (Torlakson) A-04/07/2005	Bicycle Transportation Account: funding.	06/29/2005-Placed on APPR. suspense file. (06/29/2005-A APPR. SUSPENSE FILE)	ACTA-Support CMA-Watch
	<p>NOTE: SB 523 deletes a provision from existing law that would, in effect, reduce the amount of gasoline excise tax funds transferred each month to the BTA from \$600,000 to \$416,667 after June 30, 2006. This bill would maintain the current level of funding for this program.</p>		

Copeland Lowery Jacquez Denton & White LLC

Specializing in Government Relations

MEMORANDUM

TO: Dennis Fay, Jean Hart and Frank Furger
ACCMA

FROM: Jim Copeland & Emily Bacque
Copeland Lowery Jacquez Denton & White

RE: Washington, D.C. Update

DATE: July 20, 2005

Surface Transportation Reauthorization (H.R. 3)

On Tuesday, July 19, both the House & Senate approved a ninth extension of the Transportation Reauthorization Bill to give conferees additional time to reach final agreement on the surface transportation law. This extension, which ensures that federal workers receive their salaries on time and that states will continue to receive federal transportation aid, will expire on Thursday, July 21. Conferees continue to negotiate on remaining highway and transit issues.

On Friday, June 24, the conferees announced they reached a deal on the overall funding level at \$286.5 billion over six years. The agreement represents a significant retreat from the \$295 billion previously approved by the Senate, but it still exceeds the \$283.9 billion limit set by the White House and approved by the House.

The deal also involves having the House and Senate split earmarked projects that do not count toward a state's minimum guaranteed rate of return in highway aid, while giving the Senate as much as 40 percent of those projects that do count toward that rate of return. While this would be a significant increase in the Senate's share of earmarks (in the past they have received 20% of the total earmarks), conferees are still trying to determine what type of projects and other funding would be used to calculate a state's rate of return. Conferees have also reportedly agreed that the scope, or the percentage of the bill's highway dollars that are divvied up among the states via formula, will be 90.2 percent and that they would hope to increase the rate of return on highway dollars from 90.5 percent in current law to 92 percent by fiscal year 2009.

However, similar to last year's negotiations, talks have stalled on attempts to satisfy donor states seeking to increase their rate of return on taxes they contribute to the Highway Trust Fund while staying under a spending limit of \$287 billion. Some donor state lawmakers, including House Majority Leader Tom DeLay (R-TX), are pushing for an immediate increase in the return that states receive through the grant program to 92 cents on the dollar, rather than the funding framework that conferees negotiated before the July Fourth recess that would have brought states to the 92 cent minimum threshold by fiscal 2009.

But, since lawmakers are committed to keeping the total cost of the bill under about \$287 billion, increasing the rate of return for donor states would mean taking money away from recipient states, which have gotten more money for road projects than they contributed in highway taxes.

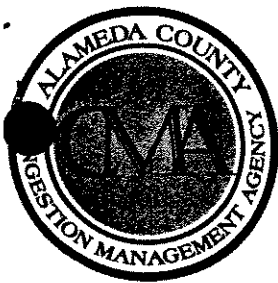
FY06 Appropriations

The House passed its final appropriations bill, (HR 3058) which funds the Transportation, Treasury and Housing and Urban Development departments, the judiciary and the District of Columbia (T/T/HUD) on Thursday, June 30. The House considered a number of amendments, mainly addressing funding for Amtrak, increasing its funding to almost \$1.2 billion. This was a bipartisan rejection of the Bush administration's effort to end the rail passenger service's subsidy.

By boosting the Amtrak funding, the House struck \$37 billion in highway funding, \$7 billion for transit programs, \$3.6 billion in airport improvement grants, \$54 million for the Essential Air Service program and funding for the National Highway Traffic Safety Administration. All of the deleted spending is likely to be restored during a House-Senate conference on the bill later this fall.

Earmarks were not included in the bill, however they will be added once the bill goes to conference. We will continue to monitor and push for ACCMA's priorities in conference and in the Senate bill.

The Senate Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development marked up its bill on Tuesday, July 19. The bill would allocate \$40.1 billion in highway spending and \$8.2 billion in transit spending. The Subcommittee also included \$1.4 billion for Amtrak. The full Committee will mark up the bill on Thursday, July 21. Although the subcommittee did include earmarks in its bill, the bill and report are embargoed until after the full Committee approves the bill. CLJ will keep ACCMA informed should any of its priorities be included in the Senate report.



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

AC Transit

Director
Dolores Jaquez

June 29, 2005

Alameda County

Supervisors
Nate Miley
Scott Haggerty
Vice Chairperson

Ms. Janet Harbin
Senior Planner
Community Development Department

City of Alameda

Mayor
Beverly Johnson

City of Dublin
100 Civic Plaza
Dublin, CA 94568

City of Albany

Councilmember
Allen Maris

SUBJECT: Comments on the Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Moller Ranch Reorganization and Development Project in the City of Dublin (PA 03-060)

BART

Director
Thomas Blalock

City of Berkeley

Councilmember
Kris Worthington

Dear Ms. Harbin:

City of Dublin

Mayor
Janet Lockhart

City of Emeryville

Councilmember
Nora Davis

City of Fremont

Mayor
Robert Wasserman

City of Hayward

Mayor
Roberta Cooper

City of Livermore

Mayor
Marshall Kamena

City of Newark

Councilmember
Paul H. B. Tong

City of Oakland

Councilmember
Larry Reid
Chairperson

City of Piedmont

Councilmember
Jeff Wieler

City of Pleasanton

Mayor
Jennifer Hoslerman

City of San Leandro

Mayor
Sheila Young

City of Union City

Mayor
Mark Green

Thank you for the opportunity to comment on the City of Dublin's Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (SEIR) for the Moller Ranch Reorganization and Development Project in the City of Dublin (PA 03-060). The project site is generally located on the east and west sides of Tassajara Road, south of Alameda-Contra Costa County boundary line in the unincorporated portion of Alameda County. The project intends to reorganize to annex approximately 243.5 acres of land to the City of Dublin and Dublin San Ramon Services District (including Moller Ranch, Tipper and Vargas properties) to allow development of approximately 181 single family dwellings and 14 dues units on the Moller Ranch property. Requested entitlements include an amendment to the Eastern Dublin Specific Plan to add the Moller Ranch portion of the project site to the Eastern Dublin Specific Plan area, a Stage 1 Planned Development Plan to prezone the entire site and similar entitlements to allow development on the Moller Ranch.

The ACCMA respectfully submits the following comments:

- The City of Dublin adopted Resolution 120-92 on September 28, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). Based on our review of the NOP and the land uses that are being considered, the proposed project appears to generate at least 100 p.m. peak hour trips over existing conditions. If this is the case, the CMP Land Use Analysis Program requires the City to conduct a traffic analysis of the project using the Countywide Transportation Demand Model for Year 2010 and 2025 conditions. Please note the following paragraphs as they discuss the responsibility for modeling.
 - The CMA Board amended the CMP on March 26th, 1998 so that local jurisdictions are now responsible for conducting the model runs themselves or through a

consultant. The City of Dublin has not yet returned a signed a Countywide Model Agreement to the ACCMA. A copy of the Model Agreement was delivered earlier to the City of Dublin. Before the model can be released to you or your consultant, the agreement must be signed by the City and the ACCMA and a letter must be submitted to the ACCMA requesting use of the model and describing the project. Copies of the Model Agreement and sample letter agreement are attached.

- If the City chooses to use a model other than the Countywide Model for traffic impact analysis, then for the purposes of the CMP Land Use Analysis Program, it should be demonstrated that the selected model output traffic volumes are conservative compared with the Alameda Countywide Model, with regard to the MTS roadways that are required to be analyzed. This comparison should be included in the environmental document.
- Potential impacts of the project on the Metropolitan Transportation System (MTS) need to be addressed. (See 2003 CMP Figures E-2 and E-3 and Figure 2). The DEIR should address all potential impacts of the project on the MTS roadway and transit systems. These include I-580, I-680, SR 84, Dublin Boulevard, Tassajara Road/Santa Rita Road, Fallon Road/El Charro Road, as well as BART and LAVTA. Potential impacts of the project must be addressed for 2010 and 2025 conditions.
 - Please note that the ACCMA does not have a policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2003 CMP for more information).
 - In addition, the adopted 2003 CMP requires using 1985 Highway Capacity Manual for freeway capacity standards.
- The CMA requests that there be a discussion on the proposed funding sources of the transportation mitigation measures identified in the environmental documentation. The CMP establishes a Capital Improvement Program (See 2003 CMP, Chapter 7) that assigns priorities for funding roadway and transit projects throughout Alameda County. The improvements called for in the DEIR should be consistent with the CMP CIP. Given the limited resources at the state and federal levels, it would be speculative to assume funding of an improvement unless it is consistent with the project funding priorities established in the Capital Improvement Program (CIP) of the CMP, the federal Transportation Improvement Program (TIP), or the adopted Regional Transportation Plan (RTP). Therefore, we are requesting that the environmental documentation include a financial program for all roadway and transit improvements.
- The adequacy of any project mitigation measures should be discussed. On February 25, 1993 the CMA Board adopted three criteria for evaluating the adequacy of DEIR project mitigation measures:
 - Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
 - Project mitigation measures must be fully funded to be considered adequate;
 - Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

Ms. Janet Harbin
June 29, 2005
Page 3

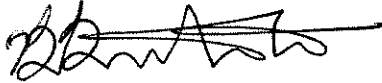
established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

It would be helpful to indicate in the DEIR the adequacy of proposed mitigation measures relative to these criteria. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and what would be the effect on LOS if only the funded portions of these projects were assumed to be built prior to project completion.

- Potential impacts of the project on CMP transit levels of service must be analyzed. (See 2003 CMP, Chapter 4). Transit service standard for BART is 3.75-15 minute headways during peak hours. The DEIR should address the issue of transit funding as a mitigation measure in the context of the CMA's policies as discussed above.
- The DEIR should also consider demand-related strategies that are designed to reduce the need for new roadway facilities over the long term and to make the most efficient use of existing facilities (see 2003 CMP, Chapter 5). The DEIR could consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered.

Thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at 510/836-2560 ext. 24 if you require additional information.

Sincerely,



Saravana Suthanthira
Associate Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2005

**Master Transportation Demand Model Agreement
For Use of the Alameda Countywide Travel Demand Model
Between the Alameda County Congestion Management Agency and (Jurisdiction)**

This Agreement is made between the Alameda County Congestion Management Agency, a joint powers agency organized under California law ("ACCMA"), and (Jurisdiction), a _____ ("Jurisdiction"), as of _____. As of March 26, 1998, the ACCMA will no longer provide in-house modeling services for Congestion Management Program ("CMP") purposes. These services may be resumed in the future at the Board's direction. The ACCMA will continue as the agency responsible for the upkeep and maintenance of the Alameda Countywide Travel Demand Model ("Countywide Model"). The Countywide Model consists solely of data and supporting information. In conjunction with the separate EMME/2 software, the Countywide Model provides forecasts of the impact of transportation projects and land use changes on traffic in Alameda County. The Countywide Model does not include the EMME/2 software. This software is owned by INRO Consultants, Inc. and must be separately licensed by Jurisdiction and/or any consultant hired by Jurisdiction. The ACCMA will provide, for use by Jurisdiction and/or any consultant hired by Jurisdiction solely for the purposes of, and pursuant to, this Agreement, the Countywide Model EMME/2 data banks, which includes all transportation network and other data inputs and supporting information necessary to run the Countywide Model on EMME/2 and the four step modeling process for CMP purposes. In order for the ACCMA to transfer the data banks and supporting information, Jurisdiction shall agree to the following terms:

1. This agreement is the master agreement between the ACCMA and Jurisdiction which details the terms and use of the Countywide Model. The agreement will be signed once and a copy retained on file with the ACCMA and Jurisdiction. For each individual project or new proposed use of the Countywide Model, a separate letter agreement (sample attached) will be submitted by Jurisdiction to the ACCMA. It is the responsibility of Jurisdiction to ensure that any consultants retained by them have reviewed and agree to the terms of the Master Agreement. The associated consultants will be required to sign the letter agreement. Consultants retained by Jurisdiction must demonstrate through previous work experience and references their ability to operate the EMME/2 model hardware and software. It is the responsibility of Jurisdiction to verify consultant capabilities, which shall be used for CMP purposes only.
2. The Countywide Model data banks and supporting information will be used for analysis of projects and transportation impacts within the study area only. The Countywide Model will not be used to analyze the impacts of any network, land use or other changes outside of the project study area or for any other purpose other than that listed in the letter agreement submitted under separate cover unless prior written agreement is obtained from the ACCMA. Jurisdiction will document with each CMP submittal it makes the changes made to the content of the Countywide Model. Any non-project related modifications need to have written approval from ACCMA. All documentation utilizing Countywide Model results will cite the Countywide Model as its source and will be produced under the direction of and signed by the jurisdiction.
3. Jurisdiction, and /or any consultant hired by Jurisdiction, will use the Countywide Model in accordance with the most current CMA Board approved version of ACCMA's Technical Guidelines, including the Model Application and Use Guidelines (available upon request). For example, this includes analyzing project impacts based on volume changes and not changes in speeds.

4. Jurisdiction, and /or any consultant hired by Jurisdiction, shall use the Countywide Model in its own facilities. Use of the Countywide Model on terminals and devices not on premises defined in the letter agreement is prohibited unless otherwise agreed to in writing by ACCMA. Jurisdiction, and /or any consultant hired by Jurisdiction, agree to only make as many copies and backup copies of the Countywide Model as necessary for the purposes of developing and maintaining the model for the purposes described in the letter attached.
5. Once the project analysis is complete and the project is approved, Jurisdiction shall provide the ACCMA with written and electronic documentation of any revisions to the Countywide Model and a copy of the modified data banks and supporting information. This information shall be kept in ACCMA files. The local jurisdiction is permitted to keep one copy of the same information, but any consultants retained by them are not. Jurisdiction agrees to notify the ACCMA in writing when the Countywide Model has been deleted from computers and processors at all locations, including all computers and processors belonging to any consultant hired by Jurisdiction.
6. Any use, copying or distribution of the Countywide Model by Jurisdiction not authorized by this Agreement shall automatically terminate Jurisdiction's rights to use the Countywide Model outside ACCMA premises. The Jurisdiction would continue to have access to model inputs and outputs as outlined in the current ACCMA Board approved policies regarding use of the Countywide Model. Under these circumstances, the local jurisdiction is entitled to model runs performed by ACCMA staff and/or consultant hired by ACCMA. The costs for such staff and/or consultant performed model runs will be billed to Jurisdiction on a time and materials basis. Any use, copying or distributing of the Countywide Model by consultant hired by Jurisdiction not authorized by this Agreement shall automatically terminate the consultant's rights to use the Countywide Model for a period of two years. Jurisdiction will then have the following options: perform the model work in-house, retain another consultant, or have the ACCMA and/or a consultant hired by ACCMA perform the model runs. All costs are to be borne by the Jurisdiction as described in this agreement.
7. Title to the Countywide Model, including all copies and derivative works prepared by Jurisdiction, and /or any consultant hired by Jurisdiction, will remain with ACCMA. Jurisdiction, and any consultant hired by Jurisdiction, hereby assigns to ACCMA ownership of all such copies and derivative works. Any modified version of the Countywide Model cannot be resold or claimed by the local jurisdiction or consultants to be its own.
8. If Jurisdiction is required to copy and/or distribute any portion of the Countywide Model in response to a request made pursuant to the California Public Records Act (Government Code section 6250 *et seq.*), Jurisdiction shall notify ACCMA promptly upon taking such action, and Jurisdiction shall attach or include the following notice with the copied and/or distributed materials:

The information contained herein is proprietary and belongs to the Alameda County Congestion Management Agency (ACCMA), and may not be utilized for any modeling or related purposes without the express written permission of the ACCMA.

9. Jurisdiction and any consultant hired by (Jurisdiction) hereby agree to hold the ACCMA, its affiliates, subcontractors and representatives harmless for any loss or damage of any kind caused by or arising from the use of the Countywide Model, including, but not limited to, any downtime allegedly caused by defect or damage in the Countywide Model. Jurisdiction and any consultant hired by Jurisdiction hereby agree to hold the ACCMA, its affiliates, subcontractors and representatives harmless for any loss

or damage of any kind caused by or arises from the use of the conclusions, findings, and results produced by the Countywide Model.

Jurisdiction and the ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY hereby execute this Agreement through their duly authorized representatives.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

By: _____ DATE: _____
Dennis Fay
Executive Director

(JURISDICTION)

By: _____ DATE: _____
(Name/Title)

APPROVED AS TO FORM:

By: _____ DATE: _____
(Name/Title)

ATTEST:

By: _____ DATE: _____
(Name/Title)

RECOMMENDED FOR APPROVAL:

By: _____
(Name/Title)

SAMPLE LETTER

Date

Mr. Dennis Fay
Alameda County CMA
1333 Broadway, Suite 220
Oakland, CA 94612

SUBJECT: Letter Agreement Between ACCMA and (Jurisdiction) Regarding Use of the
Alameda Countywide Travel Demand Model

Dear Mr. Fay:

This is to request the use of the Alameda Countywide Travel Demand Model ("Countywide Model") EMME/2 data banks, which includes all transportation network and other data inputs and supporting information necessary to run the Countywide Model on EMME/2 and the four step modeling process for CMP purposes. Specifically, the Countywide Model will be used for the following: (include project description, project location, land use changes, transportation network modifications, analysis years)

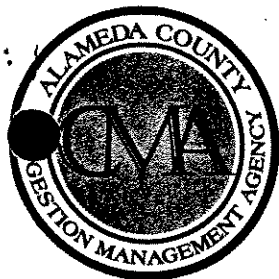
A. Use if Consultant Services will be retained:
(Jurisdiction) will be retaining consultant services from (Consultant). (Jurisdiction) has reviewed their qualifications and they have the necessary experience to operate the EMME/2 and the Countywide Model. (Jurisdiction) and (Consultant) agree to abide by the terms set forth in the attached Master Countywide Model Agreement between the ACCMA and (Jurisdiction) dated (Date). (Consultant) agrees to notify the (Jurisdiction) in writing when the Countywide Model has been deleted from (Consultant) computers and processors at all locations. (Consultant) agrees that any use, copying or distributing of the Countywide Model by consultant hired by (Jurisdiction) not authorized by this Agreement shall automatically terminate the consultant's rights to use the Countywide Model for a period of two years.

B. Use if Consultant Services will not be retained:
(Jurisdiction) has the staff resources in-house and will not be retaining a consultant to operate the Countywide Model. (Jurisdiction) agrees to abide by the terms set forth in the attached Master Countywide Model Agreement dated (Date).

Sincerely,

(Name)
(Jurisdiction)
(Title)

(Name)
(Consultant)
(Title)



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

AC Transit

Director

Dolores Jaquez

Alameda County June 30, 2005

Supervisors

Nate Milley

Scott Haggerty

Vice Chairperson

City of Alameda

Mayor

Beverly Johnson

City of Albany

Councilmember

Allen Maris

BART

Director

Thomas Blalock

City of Berkeley

Councilmember

Kriss Worthington

City of Dublin

Mayor

Janet Lockhart

City of Emeryville

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Nora Davis

City of Fremont

Mayor

Robert Wasserman

City of Hayward

Mayor

Roberta Cooper

City of Livermore

Mayor

Marshall Kamena

City of Newark

Councilmember

Paul H. B. Tong

City of Oakland

Councilmember

Larry Reid

Chairperson

City of Piedmont

Councilmember

Jeff Wieler

City of Pleasanton

Mayor

Jennifer Hosterman

City of San Leandro

Mayor

Sheila Young

City of Union City

Mayor

Mark Green

Executive Director

Mr. Eddie Peabody Jr., AICP
Community Development Director
Planning Department
City of Dublin
100 Civic Plaza
Dublin, CA 94568

SUBJECT: Comments on the Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Fallon Village Development Project in the City of Dublin (PA 04-040)

Dear Mr. Peabody:

Thank you for the opportunity to comment on the City of Dublin's Notice of Preparation (NOP) of a Draft Supplemental Environmental Impact Report (SEIR) for the Fallon Village Development Project in the City of Dublin. The project area contains approximately 1,132 acres of land located on the east side of the City of Dublin in an area bounded by Interstate 580 to the south and Fallon Road to the west. The Project includes: (a) an amendment to the Eastern Dublin Specific Plan to add approximately 638 acres of the Project area into the Specific Plan area; (b) a stage 1 Planned Development for the entire Project area to modify land uses within the Project area; and (c) a Stage 2 Planned Development plan for approximately 486 acres of the Project area.

The ACCMA respectfully submits the following comments:

- The City of Dublin adopted Resolution 120-92 on September 28, 1992 establishing guidelines for reviewing the impacts of local land use decisions consistent with the Alameda County Congestion Management Program (CMP). Based on our review of the NOP and the land uses that are being considered, the proposed project appears to generate at least 100 p.m. peak hour trips over existing conditions. If this is the case, the CMP Land Use Analysis Program requires the City to conduct a traffic analysis of the project using the Countywide Transportation Demand Model for Year 2010 and 2025 conditions. Please note the following paragraphs as they discuss the responsibility for modeling.
 - The CMA Board amended the CMP on March 26th, 1998 so that local jurisdictions are now responsible for conducting the model runs themselves or through a consultant. The City of Dublin has not yet returned a signed a Countywide Model Agreement to the ACCMA. A copy of the Model Agreement was delivered

previously to the City of Dublin. Before the model can be released to you or your consultant, the agreement must be signed by the City and the ACCMA and a letter must be submitted to the ACCMA requesting use of the model and describing the project. Copies of the Model Agreement and sample letter agreement are attached.

- If the City chooses to use a model other than the Countywide Model for traffic impact analysis, then for the purposes of the CMP Land Use Analysis Program, it should be demonstrated that the selected model output traffic volumes are conservative compared with the Alameda Countywide Model, with regard to the MTS roadways that are required to be analyzed. This comparison should be included in the environmental document.
- Potential impacts of the project on the Metropolitan Transportation System (MTS) need to be addressed. (See 2003 CMP Figures E-2 and E-3 and Figure 2). The DEIR should address all potential impacts of the project on the MTS roadway and transit systems. These include I-580, I-680, SR 84, Dublin Boulevard, Tassajara Road/Santa Rita Road, Fallon Road/El Charro Road, as well as BART and LAVTA. Potential impacts of the project must be addressed for 2010 and 2025 conditions.
 - Please note that the ACCMA does not have a policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see chapter 6 of 2003 CMP for more information).
 - In addition, the adopted 2003 CMP requires using 1985 Highway Capacity Manual for freeway capacity standards.
- The CMA requests that there be a discussion on the proposed funding sources of the transportation mitigation measures identified in the environmental documentation. The CMP establishes a Capital Improvement Program (See 2003 CMP, Chapter 7) that assigns priorities for funding roadway and transit projects throughout Alameda County. The improvements called for in the DEIR should be consistent with the CMP CIP. Given the limited resources at the state and federal levels, it would be speculative to assume funding of an improvement unless it is consistent with the project funding priorities established in the Capital Improvement Program (CIP) of the CMP, the federal Transportation Improvement Program (TIP), or the adopted Regional Transportation Plan (RTP). Therefore, we are requesting that the environmental documentation include a financial program for all roadway and transit improvements.
- The adequacy of any project mitigation measures should be discussed. On February 25, 1993 the CMA Board adopted three criteria for evaluating the adequacy of DEIR project mitigation measures:
 - Project mitigation measures must be adequate to sustain CMP service standards for roadways and transit;
 - Project mitigation measures must be fully funded to be considered adequate;
 - Project mitigation measures that rely on state or federal funds directed by or influenced by the CMA must be consistent with the project funding priorities established in the Capital Improvement Program (CIP) section of the CMP or the Regional Transportation Plan (RTP).

Mr. Eddie Peabody Jr.

June 30, 2005

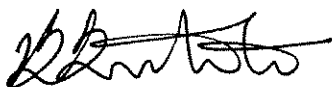
Page 3

It would be helpful to indicate in the DEIR the adequacy of proposed mitigation measures relative to these criteria. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and what would be the effect on LOS if only the funded portions of these projects were assumed to be built prior to project completion.

- Potential impacts of the project on CMP transit levels of service must be analyzed. (See 2003 CMP, Chapter 4). Transit service standard for BART is 3.75-15 minute headways during peak hours. The DEIR should address the issue of transit funding as a mitigation measure in the context of the CMA's policies as discussed above.
- The DEIR should also consider demand-related strategies that are designed to reduce the need for new roadway facilities over the long term and to make the most efficient use of existing facilities (see 2003 CMP, Chapter 5). The DEIR could consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered.
- For projects adjacent to state roadway facilities, the analysis should address noise impacts of the project. If the analysis finds an impact, then mitigation measures (i.e., soundwalls) should be incorporated as part of the conditions of approval of the proposed project. It should not be assumed that federal or state funding is available.

Thank you for the opportunity to comment on this Notice of Preparation. Please do not hesitate to contact me at 510/836-2560 ext. 24 if you require additional information.

Sincerely,



Saravana Suthanthira
Associate Transportation Planner

cc: file: CMP - Environmental Review Opinions - Responses - 2005

**Master Transportation Demand Model Agreement
For Use of the Alameda Countywide Travel Demand Model
Between the Alameda County Congestion Management Agency and (Jurisdiction)**

This Agreement is made between the Alameda County Congestion Management Agency, a joint powers agency organized under California law ("ACCMA"), and (Jurisdiction), a _____ ("Jurisdiction"), as of _____. As of March 26, 1998, the ACCMA will no longer provide in-house modeling services for Congestion Management Program ("CMP") purposes. These services may be resumed in the future at the Board's direction. The ACCMA will continue as the agency responsible for the upkeep and maintenance of the Alameda Countywide Travel Demand Model ("Countywide Model"). The Countywide Model consists solely of data and supporting information. In conjunction with the separate EMME/2 software, the Countywide Model provides forecasts of the impact of transportation projects and land use changes on traffic in Alameda County. The Countywide Model does not include the EMME/2 software. This software is owned by INRO Consultants, Inc. and must be separately licensed by Jurisdiction and/or any consultant hired by Jurisdiction. The ACCMA will provide, for use by Jurisdiction and/or any consultant hired by Jurisdiction solely for the purposes of, and pursuant to, this Agreement, the Countywide Model EMME/2 data banks, which includes all transportation network and other data inputs and supporting information necessary to run the Countywide Model on EMME/2 and the four step modeling process for CMP purposes. In order for the ACCMA to transfer the data banks and supporting information, Jurisdiction shall agree to the following terms:

1. This agreement is the master agreement between the ACCMA and Jurisdiction which details the terms and use of the Countywide Model. The agreement will be signed once and a copy retained on file with the ACCMA and Jurisdiction. For each individual project or new proposed use of the Countywide Model, a separate letter agreement (sample attached) will be submitted by Jurisdiction to the ACCMA. It is the responsibility of Jurisdiction to ensure that any consultants retained by them have reviewed and agree to the terms of the Master Agreement. The associated consultants will be required to sign the letter agreement. Consultants retained by Jurisdiction must demonstrate through previous work experience and references their ability to operate the EMME/2 model hardware and software. It is the responsibility of Jurisdiction to verify consultant capabilities, which shall be used for CMP purposes only.
2. The Countywide Model data banks and supporting information will be used for analysis of projects and transportation impacts within the study area only. The Countywide Model will not be used to analyze the impacts of any network, land use or other changes outside of the project study area or for any other purpose other than that listed in the letter agreement submitted under separate cover unless prior written agreement is obtained from the ACCMA. Jurisdiction will document with each CMP submittal it makes the changes made to the content of the Countywide Model. Any non-project related modifications need to have written approval from ACCMA. All documentation utilizing Countywide Model results will cite the Countywide Model as its source and will be produced under the direction of and signed by the jurisdiction.
3. Jurisdiction, and /or any consultant hired by Jurisdiction, will use the Countywide Model in accordance with the most current CMA Board approved version of ACCMA's Technical Guidelines, including the Model Application and Use Guidelines (available upon request). For example, this includes analyzing project impacts based on volume changes and not changes in speeds.

4. Jurisdiction, and /or any consultant hired by Jurisdiction, shall use the Countywide Model in its own facilities. Use of the Countywide Model on terminals and devices not on premises defined in the letter agreement is prohibited unless otherwise agreed to in writing by ACCMA. Jurisdiction, and /or any consultant hired by Jurisdiction, agree to only make as many copies and backup copies of the Countywide Model as necessary for the purposes of developing and maintaining the model for the purposes described in the letter attached.
5. Once the project analysis is complete and the project is approved, Jurisdiction shall provide the ACCMA with written and electronic documentation of any revisions to the Countywide Model and a copy of the modified data banks and supporting information. This information shall be kept in ACCMA files. The local jurisdiction is permitted to keep one copy of the same information, but any consultants retained by them are not. Jurisdiction agrees to notify the ACCMA in writing when the Countywide Model has been deleted from computers and processors at all locations, including all computers and processors belonging to any consultant hired by Jurisdiction.
6. Any use, copying or distribution of the Countywide Model by Jurisdiction not authorized by this Agreement shall automatically terminate Jurisdiction's rights to use the Countywide Model outside ACCMA premises. The Jurisdiction would continue to have access to model inputs and outputs as outlined in the current ACCMA Board approved policies regarding use of the Countywide Model. Under these circumstances, the local jurisdiction is entitled to model runs performed by ACCMA staff and/or consultant hired by ACCMA. The costs for such staff and/or consultant performed model runs will be billed to Jurisdiction on a time and materials basis. Any use, copying or distributing of the Countywide Model by consultant hired by Jurisdiction not authorized by this Agreement shall automatically terminate the consultant's rights to use the Countywide Model for a period of two years. Jurisdiction will then have the following options: perform the model work in-house, retain another consultant, or have the ACCMA and/or a consultant hired by ACCMA perform the model runs. All costs are to be borne by the Jurisdiction as described in this agreement.
7. Title to the Countywide Model, including all copies and derivative works prepared by Jurisdiction, and /or any consultant hired by Jurisdiction, will remain with ACCMA. Jurisdiction, and any consultant hired by Jurisdiction, hereby assigns to ACCMA ownership of all such copies and derivative works. Any modified version of the Countywide Model cannot be resold or claimed by the local jurisdiction or consultants to be its own.
8. If Jurisdiction is required to copy and/or distribute any portion of the Countywide Model in response to a request made pursuant to the California Public Records Act (Government Code section 6250 *et seq.*), Jurisdiction shall notify ACCMA promptly upon taking such action, and Jurisdiction shall attach or include the following notice with the copied and/or distributed materials:

The information contained herein is proprietary and belongs to the Alameda County Congestion Management Agency (ACCMA), and may not be utilized for any modeling or related purposes without the express written permission of the ACCMA.

9. Jurisdiction and any consultant hired by (Jurisdiction) hereby agree to hold the ACCMA, its affiliates, subcontractors and representatives harmless for any loss or damage of any kind caused by or arising from the use of the Countywide Model, including, but not limited to, any downtime allegedly caused by defect or damage in the Countywide Model. Jurisdiction and any consultant hired by Jurisdiction hereby agree to hold the ACCMA, its affiliates, subcontractors and representatives harmless for any loss

or damage of any kind caused by or arises from the use of the conclusions, findings, and results produced by the Countywide Model.

Jurisdiction and the ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY hereby execute this Agreement through their duly authorized representatives.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

By: _____ DATE: _____
Dennis Fay
Executive Director

(JURISDICTION)

By: _____ DATE: _____
(Name/Title)

APPROVED AS TO FORM:

By: _____ DATE: _____
(Name/Title)

ATTEST:

By: _____ DATE: _____
(Name/Title)

RECOMMENDED FOR APPROVAL:

By: _____
(Name/Title)

SAMPLE LETTER

Date

Mr. Dennis Fay
Alameda County CMA
1333 Broadway, Suite 220
Oakland, CA 94612

SUBJECT: Letter Agreement Between ACCMA and (Jurisdiction) Regarding Use of the
Alameda Countywide Travel Demand Model

Dear Mr. Fay:

This is to request the use of the Alameda Countywide Travel Demand Model ("Countywide Model") EMME/2 data banks, which includes all transportation network and other data inputs and supporting information necessary to run the Countywide Model on EMME/2 and the four step modeling process for CMP purposes. Specifically, the Countywide Model will be used for the following: (include project description, project location, land use changes, transportation network modifications, analysis years)

A. Use if Consultant Services will be retained:
(Jurisdiction) will be retaining consultant services from (Consultant). (Jurisdiction) has reviewed their qualifications and they have the necessary experience to operate the EMME/2 and the Countywide Model. (Jurisdiction) and (Consultant) agree to abide by the terms set forth in the attached Master Countywide Model Agreement between the ACCMA and (Jurisdiction) dated (Date). (Consultant) agrees to notify the (Jurisdiction) in writing when the Countywide Model has been deleted from (Consultant) computers and processors at all locations. (Consultant) agrees that any use, copying or distributing of the Countywide Model by consultant hired by (Jurisdiction) not authorized by this Agreement shall automatically terminate the consultant's rights to use the Countywide Model for a period of two years.

B. Use if Consultant Services will not be retained:
(Jurisdiction) has the staff resources in-house and will not be retaining a consultant to operate the Countywide Model. (Jurisdiction) agrees to abide by the terms set forth in the attached Master Countywide Model Agreement dated (Date).

Sincerely,

(Name)
(Jurisdiction)
(Title)

(Name)
(Consultant)
(Title)

July 28, 2005
Agenda Item 6.1

CMA BOARD
MINUTES OF JUNE 23, 2005 MEETING
Oakland, California

Chair Reid convened the meeting of the CMA Board at 3:30 pm.

1.0 ROLL CALL

Muller conducted roll call to confirm a quorum. The Roll Call Roster is attached.

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

There were no public comments.

4.0 CHAIR'S/VICE-CHAIR'S REPORT

Haggerty thanked Jean Hart and CMA staff for assembling the delegation that traveled to Washington D.C. to meet with Congressman Pombo, Congresswoman Tauscher and Senator Boxer to discuss the Tea 21 bill, I-580 Corridor and I-680 Smart Corridor. Haggerty reported that Congresswoman Tauscher was a little reluctant, Congressman Pombo was receptive and Senator Boxer was extremely gracious and was very supportive of our request for federal earmarks.

Alan Maris advised the Board that in April he requested that Planning Area 1 meet to discuss the reorganization of the committee membership for Planning Area 1. He request that staff agendize this item for the July meeting.

5.0 EXECUTIVE DIRECTOR'S REPORT

Hart advised the Board the both she and Frank Furger attended several Chamber of Commerce meetings seeking support of AB 1623 (Klehs). She noted that the Hayward Chamber of Commerce supports this bill. Furger noted that the Pleasanton Chamber of Commerce is seeking a return to source guarantee based on zip code. Staff will continue discussion with the Pleasanton Chamber of Commerce in July.

6.0 CONSENT CALENDAR

- 6.1 Meeting Minutes May 26, 2005
- 6.2 Financial Reports: May 2005
- 6.3 Plans & Programs Committee
 - 6.3.1 Federal STP/CMAQ Program: Cycle 1 Augmentation and CMA TIP: Local Streets and Roads Rehab & Safety Funds
 - 6.3.2 CMA TIP Exchange Program: Quarterly at Risk Report* (page 55)
 - 6.3.3 Transportation Fund for Clean Air (TFCA): Submittal of Grant Application for the Regional Program
 - 6.3.4 Dynamic Ridesharing Pilot Project – Budget and Contract Amendment* (page 61)
- 6.4 Administration & Legislation Committee
 - 6.4.1 Congestion Management Program (CMP): Dynamic Ridesharing Pilot Project – Budget and Contract Amendment
 - 6.4.2 Int'l/Telegraph Rapid Bus Project: Amendment to Agreement with AC Transit for Additional Work

- 6.4.3 Transportation Fund for Clean Air (TFCA): TravelChoice Pilot Project
- 6.4.4 Executive Director's Performance Objectives for 2005-06
- 6.4.5 SB 172 (Torlakson): Bay Area Toll Bridge Financing - Support
- 6.4.6 AB 697 (Oropeza): Continuous Appropriations of Transportation Funds - Support
- 6.5 Follow-up to Previous Board Actions
- 6.5.1 Triangle Analysis Policy Advisory Committee Alternates

A motion was made by Davis to approve the Consent Calendar; a second was made by Worthington. The motion passed as follows: (29 – aye, 0 – nay, 5 – absent, 0 – abstain) AC Transit (1) – aye, Alameda County (3) – aye, City of Alameda (1) – aye, City of Albany (1) – aye, BART (1) – aye, City of Berkeley (2) – aye, City of Dublin (1) – aye, City of Emeryville (1) – aye, City of Fremont (4) – aye, City of Hayward (3) – aye, City of Livermore (2) – absent, City of Newark (1) – absent, City of Oakland (8) – aye, City of Piedmont (1) – aye, City of Pleasanton (1) – absent, City of San Leandro (2) – aye, City of Union City (1) – absent.

7.0 PLANS & PROGRAMS COMMITTEE REPORTS Information/Action 3:55 p.m.

7.1 2006 State Transportation Improvement Program (STIP): Schedule and Process

Furger reviewed the process and schedule for the development of the Alameda County program of projects for the 2006 STIP. He noted that the process recognizes the California Transportation Commission's proposal for a two-tiered STIP and the uncertainty associated with the estimates of available funding over the next STIP period. After a brief discussion a motion was made by Davis to approve the 2006 State Transportation Improvement Program: Schedule and Process; a second was made by Worthington. The motion passed unanimously.

7.2 Lifeline Transportation Program

Stark gave an overview of the Lifeline Transportation Program. After discussion a motion was made by Worthington to authorize the CMA to submit notification to MTC that the CMA and ACTIA will jointly administer the Lifeline Transportation Program and that the CMA has an interest and is willing to administer the program consistent with MTC's Guiding Principles for County Lifeline Programs guidelines; a second was made by Blalock. The motion passed unanimously.

8.0 ADMINISTRATION & LEGISLATION COMMITTEE REPORTS (no items this month)

There were no reports.

9.0 OTHER BUSINESS

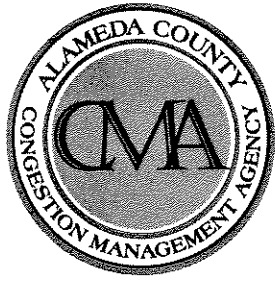
There were no reports.

10.0 ADJOURNMENT

Chair Reid adjourned the meeting until *Thursday, July 28, 2005 at 3:30 p.m.*

Attest By:


Christina Muller, Board Secretary



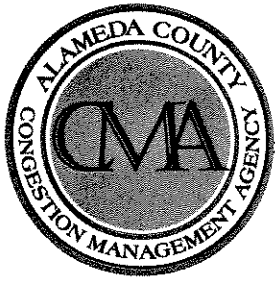
ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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CMA BOARD MEETING ROSTER OF MEETING ATTENDANCE June 23, 2005 CMA Board Room, Oakland, California

CMA BOARD MEMBERS	Initials	ALTERNATES	Initials
Larry Reid, Chair – City of Oakland		N/A	
Scott Haggerty, Vice Chair – Alameda County Supervisor		N/A	
Dolorez Jaquez – AC Transit		Rebecca Kaplan – AC Transit	
Tom Blalock - BART		Zoyd Luce, BART	
Nate Miley – Alameda County Supervisor		N/A	
Beverly Johnson – City of Alameda		Frank Matarrese, City of Alameda	
Allan Maris, City of Albany		Farid Javandel, City of Albany	
Kriss Worthington – City of Berkeley		Tom Bates - City of Berkeley	
Janet Lockhart, City of Dublin		Kasie Hildenbrand, City of Dublin	
Nora Davis – City of Emeryville		Ken Bukowski – City of Emeryville	
Robert Wasserman – City of Fremont		Dominic Dutra – City of Fremont	
Roberta Cooper – City of Hayward		Olden Hensen - City of Hayward	
Marshall Kamena – City of Livermore		Marjorie Leider – City of Livermore	
Paul H.B. Tong – City of Newark		Luis Freitas – City of Newark	
Jeff Wieler – City of Piedmont		Dean Barbieri – City of Piedmont	
Jennifer Hosterman – City of Pleasanton		Matt Sullivan – City of Pleasanton	
Shelia Young – City of San Leandro		Orval Badger – City of San Leandro	
Mark Green – City of Union City		Manual Fernandez – City of Union City	

CMA STAFF	
Dennis Fay, Executive Director	
Frank Furger, Deputy Director	
Jean Hart, Deputy Director	
Cyrus Minoofar, Principal Trans. Engineer	
Matt Todd, Senior Trans Engineer	
Diane Stark, Senior Trans Planner	
Saravana Suthanthira, Assoc Trans Planner	
Yvonne Chan, Accounting Manager	
Christina Muller, Office Mgr, Board Secretary	
Zack Wasserman, Wendel, Rosen, Black & Dean	
Neal Parish, Wendel, Rosen, Black & Dean	
Stefan Garcia, Principal Trans Engineer	



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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CMA BOARD MEETING
JUNE 23, 2005
ROSTER OF MEETING ATTENDANCE
CMA OFFICE, OAKLAND, CALIFORNIA

	NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1.	Janet Lockhart	Dublin		
2.	Roberta Cooper	Oakland		
3.	John Wiley	Alameda County		
4.	Pat Mossburg	Oak/Harry Reid	238-7593	pmossburg@oaklandnet.com
5.	John Knox/White	TALC	521-8096	
6.	Bob Vinn	Livermore	925 960 4516	bgrvinn@ci.livermore.ca.us
7.	James O'Brien	ACCMA Project Monitoring	(510) 502-4357	james@advancepd.com
8.	Joanne Parker	BART	510-287-4795	jparker@bart.gov
9.	Tina Spencer	ACTRANSIT	510-891-4754	tspencer@actransit.org
10.	Cesar Pujol	ACTRANSIT	510-891-4639	cpujol@actransit.org
11.	Charlie Cameron	HAYWARD RES.		
12.	BARRY FERRIER	UNION CITY RESIDENT	510 489-4767	BFERRIER2@CS.COM
13.	Jacki Taylor	ACCMA Project Monitoring	(510) 836-2560	PROJECTMONITORING2@ACCMA.CA.GOV
14.	Alan Stark	CMA staff		
15.	Anush Nejad	Kimley-Horn	510 625-712	anush.nejad@kimley-horn.com
16.				
17.				
18.				
19.				
20.				
21.				
22.				
23.				

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 Bus date: 07/18/2005

Alameda County CMA Revenue and Expense Report

July 28, 2005
 Agenda Item 6.2

Fiscal year thru period ending 06/30/2005

Description	Period to date Actual	Year to date Actual	Annual budget	Annual Variance	% used
Fees - City of Alameda	\$ -	\$ 22,946	\$ 22,946	\$ -	100.0%
Fees - City of Oakland	-	126,201	126,201	-	100.0%
Fees - City of Piedmont	-	3,410	3,410	-	100.0%
Fees - City of Pleasanton	-	20,517	20,517	-	100.0%
Fees - City of San Leandro	-	24,914	24,914	-	100.0%
Fees - City of Union City	-	21,537	21,537	-	100.0%
Fees - Alameda County	-	320,669	320,669	-	100.0%
Fees - City of Albany	-	5,140	5,140	-	100.0%
Fees - City of Berkeley	-	32,028	32,028	-	100.0%
Fees - City of Dublin	-	10,884	10,884	-	100.0%
Fees - City of Emeryville	-	2,309	2,309	-	100.0%
Fees - City of Fremont	-	63,993	63,993	-	100.0%
Fees - City of Hayward	-	44,312	44,312	-	100.0%
Fees - City of Livermore	-	23,897	23,897	-	100.0%
Fees - City of Newark	-	13,460	13,460	-	100.0%
Total revenues by project (see page 2 for detail)	2,180,633	16,251,527	30,398,357	14,146,830	53.5%
Revenue - Interest	11,322	66,592	40,000	(26,592)	166.5%
Revenue - Miscellaneous	953	15,052	20,000	4,948	75.3%
Total Revenue	\$ 2,192,908	\$ 17,069,388	\$ 31,194,574	\$ 14,125,186	54.7%
Salaries	\$ 104,734	\$ 1,084,753	\$ 1,108,334	\$ 23,581	97.9%
Employee Benefits	34,776	273,150	320,000	46,850	85.4%
Salary Related Expenses	386	24,327	60,000	35,673	40.5%
Board Meeting per diem	6,800	36,800	50,000	13,200	73.6%
Transportation/Travel-Special Events	2,087	41,494	69,600	28,106	59.6%
Training	-	2,783	7,000	4,217	39.8%
Office Space	21,094	197,500	198,500	1,000	99.5%
Postage/Reproduction	1,000	16,579	40,000	23,421	41.4%
Office Expenses	12,058	107,200	100,000	(7,200)	107.2%
Computer Support	5,099	29,108	60,000	30,892	48.5%
Website Service	328	11,199	15,000	3,801	74.7%
Misc. Expenses	188	1,161	6,000	4,839	19.3%
1 Office Furniture/Equipment	13,940	93,560	50,000	(43,560)	187.1%
Insurance	-	7,252	17,000	9,748	42.7%
2 Consultants/Administrative Support	10,252	64,789	25,000	(39,789)	259.2%
Legal Counsel	4,658	51,164	97,000	45,836	52.7%
Accounting Software Annual Support	4,100	4,100	4,100	-	100.0%
Temporary Employees	2,121	36,655	60,000	23,345	61.1%
Annual Audit	-	27,377	30,000	2,623	91.3%
Treasurer/Auditor	2,097	14,585	20,000	5,416	72.9%
EDAB Membership	-	5,000	5,000	-	100.0%
Legislative Advocacy	8,125	97,440	97,440	-	100.0%
Subtotal	\$ 233,843	\$ 2,227,975	\$ 2,439,974	\$ 211,999	91.3%
Expenditures by Project (see page 3 for detail)	\$ 1,189,417	\$ 14,318,957	\$ 28,665,113	\$ 14,346,156	50.0%
Total Expenditures	\$ 1,423,260	\$ 16,546,932	\$ 31,105,087	\$ 14,558,155	53.2%
Reserve Fund for ACE	\$ 168,484	\$ 320,339	\$ 107,436	\$ (212,903)	
Excess Revenue over (under) Expenditures	\$ 601,164	\$ 202,117	\$ (17,949)	\$ (220,066)	

* This is not an audited financial statement.

1 Office Furniture purchased in May 2005 to accommodate the growth of the agency, expenditure originally planned for FY05/06

2 Additional administrative support was to accomodate RM2 projects and to backfill ACCMA's administrative staff out on disability.

**Alameda County CMA
 Revenues by Project**

Fiscal year thru period ending 06/30/2005

	Period to date Actual	Year to date Actual	Annual budget	Annual Variance	% used
MTC					
TEA 21 Planning Support	\$ 159,062	\$ 277,591	\$ 454,000	\$ 176,409	61.1%
Transportation Land Use Work Program	-	150,000	150,000	-	100.0%
TEA 21 Planning Support (Exch. w/County for E. Dublin)	-	750,000	750,000	-	100.0%
Local Assistant Support	-	100,000	-	(100,000)	0.0%
Community Based Transportation	-	20,817	60,000	39,183	34.7%
Subtotal	\$ 159,062	\$ 1,298,408	\$ 1,414,000	\$ 115,592	91.8%
MTC - RM2					
Express Bus Service/HOV Lanes	\$ -	\$ 14,899	\$ 342,572	\$ 327,673	4.3%
Rt. 84 Dumbarton Corridor HOV Lane	24,045	34,976	920,000	885,024	3.8%
I-880 Operations Improvements	23,898	53,503	623,664	570,161	8.6%
I-580 Design	27,959	52,604	878,056	825,452	6.0%
I-580/680 PSR	25,658	163,122	738,036	574,914	22.1%
Subtotal	\$ 101,560	\$ 319,104	\$ 3,502,328	\$ 3,183,224	9.1%
ACTIA / ACTA					
Altamont Commuter Express Operating Cost	\$ 168,484	\$ 2,036,134	\$ 1,907,032	\$ (129,102)	106.8%
Capital Improvement on ACE	-	-	535,000	535,000	0.0%
I-680 SMART PSR	-	244,026	650,496	406,470	37.5%
I-680 SMART PS&E	-	56,162	337,444	281,282	16.6%
I-680 SMART Car Pool Lane	-	205,135	192,000	(13,135)	106.8%
Subtotal	\$ 168,484	\$ 2,541,456	\$ 3,621,972	\$ 1,080,516	70.2%
Caltrans					
CMAQ: SMART Corridor Operations & Management (Contra Costa)	\$ 56,252	\$ 182,145	\$ 247,232	\$ 65,087	73.7%
CMAQ: SMART Corridor Operations & Management (Alameda)	100,250	384,688	302,152	(82,536)	127.3%
Bicycle Video Detection	-	369,551	330,000	(39,551)	112.0%
East Bay SMART Corridors Incident Management	-	405,947	130,000	(275,947)	312.3%
I-880 SMART Corridor: System Manager/Construction	-	837,935	847,000	9,065	98.9%
San Pablo SMART Corridor: System Manager/Construction	200,362	606,309	607,000	691	99.9%
I-680 Sound Wall Construction	575,533	6,009,533	9,574,797	3,565,264	62.8%
I-680 North and Southbound Design	-	547,628	1,516,784	969,156	36.1%
I-580 HOV EIR & Project Report	-	162,976	1,201,000	1,038,024	13.6%
I-580/Tri-Valley Triangle Analysis	-	-	200,000	200,000	0.0%
I-680 SMART PSR	-	-	285,000	285,000	0.0%
I-680 SMART PS&E	-	-	6,400	6,400	0.0%
Fair Lanes	-	156,621	237,000	80,379	66.1%
Dynamic Ridesharing	-	3,437	115,000	111,563	3.0%
Subtotal	\$ 932,397	\$ 9,666,769	\$ 15,599,365	\$ 5,932,596	62.0%
TFCA - Program Manager Funds					
Administration Revenue	\$ 25,999	\$ 173,490	\$ 130,000	\$ (43,490)	133.5%
East 14th / Int'l Blvd. - Transit Signal Priority (Phase 3)	-	97,758	400,000	302,242	24.4%
Guaranteed Ride Home Program	-	73,363	115,600	42,237	63.5%
Subtotal	\$ 25,999	\$ 344,610	\$ 645,600	\$ 300,990	53.4%
Revenue from CMA TIP					
North I-880 Project Study Report	\$ -	\$ 3,275	\$ 198,000	\$ 194,725	1.7%
San Pablo SMART Corridor: Transit Priority & Video Detection Install	-	88,423	83,000	(5,423)	106.5%
STIP Project Monitoring & Oversight	-	74,627	270,864	196,237	27.6%
I-680 North & Southbound Design	-	426,867	-	(426,867)	0.0%
Fair Lanes	-	44,372	37,500	(6,872)	118.3%
Tri-Valley Triangle Analysis	-	-	200,000	200,000	0.0%
Dynamic Ridesharing	-	-	15,000	15,000	0.0%
East Bay SMART Corridors Incident Management	-	381,280	175,000	(206,280)	217.9%
Model update for 2000 Census	-	-	185,000	185,000	0.0%
CMA TIP Administration	-	188,033	140,000	(48,033)	134.3%
Subtotal	\$ -	\$ 1,206,876	\$ 1,304,364	\$ 97,488	92.5%
TFCA - Regional Fund					
East 14th / Int'l Blvd -Transit Signal Priority (Phase 2)	\$ -	\$ 30,135	\$ 400,000	\$ 369,865	7.5%
AC TRANSIT					
Traffic Signal Upgrades (Broadway)	\$ 793,131	\$ 793,131	\$ 700,000	\$ (93,131)	113.3%
East 14th / Int'l Blvd. - Transit Signal Priority (Phase 2)	-	-	3,210,728	3,210,728	0.0%
Subtotal	\$ 793,131	\$ 793,131	\$ 3,910,728	\$ 3,117,597	0.0%
OTHERS					
City of Oakland (North I-880 Project Study Report)	\$ -	\$ 4,689	\$ -	\$ (4,689)	0.0%
Port of Oakland (North I-880 Project Study Report)	-	9,349	-	(9,349)	0.0%
West CAT AVL (WCCTAC)	-	37,000	-	(37,000)	0.0%
Subtotal	\$ -	\$ 51,038	\$ -	\$ (51,038)	0.0%
TOTAL REVENUES BY PROJECT	\$ 2,180,633	\$ 16,251,527	\$ 30,398,357	\$ 14,146,830	53.5%

Run date: 07/18/2005 @ 10:22
 Bus date: 07/18/2005

Alameda County CMA Expenditures by Project

Fiscal year thru period ending 06/30/2005

	Period to date Actual	Year to date Actual	Annual budget	Annual Variance	% used
	\$	\$	\$	\$	
Consultants: General	-	94,810	150,000	55,190	63.2%
Disadvantaged Business Enterprise Consultant	652	21,557	50,000	28,443	43.1%
Altamont Commuter Express Operating Cost	-	1,715,795	1,775,000	59,205	96.7%
Capital Improvement on ACE	-	-	535,000	535,000	0.0%
Soundwall Policy	-	9,303	-	(9,303)	0.0%
CMA TIP Administration	12,343	53,576	52,000	(1,576)	103.0%
Community Based Transportation	-	-	60,000	60,000	0.0%
Congestion Management Program/CWTP	2,798	36,514	25,000	(11,514)	146.1%
Local Assistance Support	-	38,174	-	(38,174)	0.0%
Countywide Model Update	-	7,356	185,000	177,644	4.0%
North I-880 Project Study Report	-	6,550	198,000	191,450	3.3%
Professional Modeling Services	-	8,280	75,000	66,720	11.0%
Level Service Monitoring	-	-	25,000	25,000	0.0%
TEA 21 Planning Support (exchg w/cnty for E. Dublin)	-	675,000	675,000	-	100.0%
Transportation Land Use Work Program	311	24,670	25,000	330	98.7%
Consultants: TFCA Administration	16,443	90,395	39,000	(51,395)	231.8%
Dynamic Ridesharing	34,750	91,470	145,000	53,530	63.1%
East 14th/International Blvd. Transit Priority (Phases 2 & 3)	143,408	1,271,080	3,733,381	2,462,301	34.0%
Fair Lanes	-	111,347	274,500	163,153	40.6%
Bicycle Video Detection	-	152,533	330,000	177,467	46.2%
Guaranteed Ride Home	6,659	78,737	102,000	23,263	77.2%
I-580 HOV EIR & Project Report	-	111,124	1,150,000	1,038,876	9.7%
I-680 Sound Wall Construction	576,202	6,009,533	9,537,297	3,527,764	63.0%
I-680 North and Southbound Design	40,569	930,698	1,371,000	440,302	67.9%
I-680 SMART Carpool Lane Scoping	1,979	146,982	192,000	45,018	76.6%
I-680 SMART PS&E	14,265	188,693	329,127	140,434	57.3%
I-680 SMART PSR	101,709	338,205	626,500	288,295	54.0%
RM2 - Rt. 84 Dumbarton Corridor HOV Lane	2,716	33,972	900,000	866,028	3.8%
RM2 - I-880 Grand Ave. Signals	10,253	29,485	534,500	505,015	5.5%
RM2 - Rt. 84 Ardenwood Park	9,718	27,159	308,000	280,841	8.8%
RM2 - I-880 N Safety Improvement	13,103	41,605	565,000	523,395	7.4%
I-580 EB HOV	23,621	134,155	844,000	709,845	15.9%
I-580/680 WB HOV	6,468	46,592	694,608	648,016	6.7%
I-880 SMART Corridor: System Manager/Construction	25,662	630,275	787,000	156,725	80.1%
San Pablo SMART Corridor: System Manager/Construction	11,789	586,215	577,000	(9,215)	101.6%
SMART Corridors Operations & Management (Alameda)	86,480	366,346	263,100	(103,246)	139.2%
SMART Corridors Operations & Management (Contra Costa)	39,157	144,625	207,100	62,475	69.8%
STIP Project Monitoring	8,174	43,061	225,000	181,939	19.1%
Traffic Signal Upgrades (Broadway)	-	22,738	700,000	677,262	3.2%
Tri-Valley Triangle Analysis	188	348	400,000	399,653	0.1%
SUBTOTAL	\$ 1,189,417	\$ 14,318,957	\$ 28,665,113	\$ 14,346,156	50.0%

** ACCMA project expenditures are on reimbursement basis.

Project may have exceeded its annual budget, but have not exceeded its overall project budget.

Increases or decreases in line item expenditures are balanced by comparable changes in the revenue line item.

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR THE MONTH ENDING JUNE 30, 2005

WELLS FARGO CMA CHECKING

Beginning Balance on June 1, 2005	\$ 568,883.00
Deposits	1,040,856.42
Interest	607.82
Disbursements	(1,483,561.91)
Ending Balance on June 30, 2005	<u>\$ 126,785.33</u>

WELLS FARGO CMA MONEY MARKET

Beginning Balance on June 1, 2005	\$ 329,299.29
Deposits	714.57
Interest	-
Disbursements	-
Ending Balance on June 30, 2005	<u>\$ 330,013.86</u>

LAIF CMA GENERAL FUND

Beginning Balance on June 1, 2005	\$ 1,710,991.19
Deposits	-
Interest	10,000.00
Disbursements	-
Ending Balance on June 30, 2005	<u>\$ 1,720,991.19</u>

LAIF CMA EXCHANGE PROGRAM FUND

Beginning Balance on June 1, 2005	\$ 27,118,103.92
Deposits	-
Interest	168,000.00
Disbursements	-
Ending Balance on June 30, 2005	<u>\$ 27,286,103.92</u>

CMA EXCHANGE FUND CHECKING & MONEY MARKET FUND

Beginning Balance on June 1, 2005	\$ 116,095.37
Deposits	93,741.35
Interest	71.52
Disbursements	-
Ending Balance on June 30, 2005	<u>\$ 209,908.24</u>

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
TRANSPORTATION FUND FOR CLEAN AIR
FOR THE MONTH ENDING JUNE 30, 2005**

FISCAL YEAR	PREVIOUS BALANCE	CURRENT MONTH	PROGRAM BALANCE	
Unexpended Funds as of June 30, 2000 (per BAAQMD audited statement)	\$ 6,313,045		\$ 6,313,045	
FY 00/01 REVENUE	1,812,278		1,812,278	
FY 01/02 REVENUE	1,861,637		1,861,637	
FY 02/03 REVENUE	1,856,267		1,856,267	
FY 03/04 REVENUE	1,770,510		1,770,510	
FY 04/05 REVENUE	1,838,222	-	1,838,222	
Interest Income 00/01	341,255		341,255	
Interest Income 01/02	133,243		133,243	
Interest Income 02/03	69,491		69,491	
Interest Income 03/04	47,004		47,004	
Interest Income 04/05	42,041	1,695	43,736	
 FY 00/01 EXPENDITURES	 (793,624)		 (793,624)	
FY 01/02 EXPENDITURES	(3,815,028)		(3,815,028)	
FY 02/03 EXPENDITURES	(2,700,791)		(2,700,791)	
FY 03/04 EXPENDITURES	(2,787,984)		(2,787,984)	
 FY 04/05 EXPENDITURES:				
City of Alameda - G	-		-	
City of Albany - G	(30,000)		(30,000)	
City of Berkeley - G	(71,113)		(71,113)	
City of Dublin - G	(10,572)		(10,572)	
City of Emeryville - G	-		-	
City of Fremont - G	(28,177)	-	(28,177)	
City of Hayward - G	(154,263)	-	(154,263)	
City of Oakland - G	(16,006)	(80,266)	(96,272)	
City of Pleasanton - G	(54,886)	(39,156)	(94,042)	
City of Piedmont - G	-		-	
City of San Leandro - G	(21,250)		(21,250)	
City of Livermore - G	(221,540)	(35,562)	(257,102)	
City of Newark - G	(138,344)	-	(138,344)	
City of Union City - G	-	(50,000)	(50,000)	
County of Alameda - G	(1,428,335)	-	(1,428,335)	
Discretionary:				
AC Transit	-		-	
ACCMA - SMART Corr.	(28,570)	-	(28,570)	
LAVTA	-		-	
CMA Administrative Cost	(129,971)	-	(129,971)	
CMA Guaranteed Ride Home	(73,363)	(17,095)	(90,458)	
City of Oakland	(57,907)	(23,150)	(81,057)	
Misc. Expenses	(73)	-	(73)	(2,709,598)
				25,596
 BALANCE AS OF JUNE 30, 2005	 \$ 3,523,196	 \$ (243,534)	 \$ 3,279,662	

This is not an audited statement. Prior year revenues and disbursements are provided for information only.

TRANSPORTATION FUND FOR CLEAN AIR
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FOR THE MONTH ENDING JUNE 30, 2005

WELLS FARGO CHECKING

Beginning Balance on June 1, 2005	\$ 580,605.83
Deposits	1,191.53
Disbursements	-
Ending Balance on June 30, 2005	<u>\$ 581,797.36</u>

WELLS FARGO MONEY MARKET

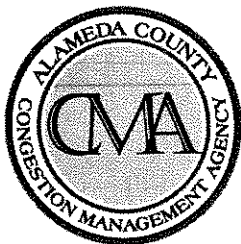
Beginning Balance on June 1, 2005	\$ 2,941,591.02
Deposits	-
Interest	1,694.70
Disbursements	(1,191.53)
Ending Balance on June 30, 2005	<u>\$ 2,942,094.19</u>

**ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY
EXCHANGE PROGRAM
FOR THE MONTH ENDING JUNE 30, 2005**

FISCAL YEAR	<u>PREVIOUS BALANCE</u>	<u>CURRENT MONTH</u>	<u>PROGRAM BALANCE</u>
FY 01/02 REVENUE	23,204,398		23,204,398
FY 02/03 REVENUE	10,880,691		10,880,691
FY 03/04 REVENUE	3,009,558	-	3,009,558
FY 04/05 REVENUE	1,141,070	93,741	1,236,204
Interest Income 01/02	279,794		279,794
Interest Income 02/03	576,242		576,242
Interest Income 03/04	485,961	-	485,961
Interest Income 04/05	413,877	168,072	586,222
FY 01/02 EXPENDITURES	(1,140,453)		(1,140,453)
FY 02/03 EXPENDITURES	(654,945)		(654,945)
FY 03/04 EXPENDITURES	(8,385,723)		(8,696,250)
FY 04/05 EXPENDITURES:			
Alameda County CMA	(1,351,663)	-	(1,351,663)
City of Dublin	-	-	-
City of San Leandro	(367,145)	-	(367,145)
Union City	(330,275)	-	(330,275)
AC Transit	-	-	-
City Car Share	(16,838)	(2,026)	(18,864)
BART	(203,292)	-	(203,292)
Misc. Expenses	(20)	-	(20)
BALANCE AS OF JUNE 30, 2005	<u>\$ 27,541,236</u>	<u>\$ 259,787</u>	<u>\$ 27,496,163</u>

This is not an audited statement. Prior year revenues and disbursements are provided for information only.

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ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

Memorandum

*July 28, 2005
Agenda Item 6.3.1*

DATE: July 20, 2005
TO: CMA Board
FROM: Plans and Programs Committee
RE: Transportation Fund for Clean Air (TFCA):
Quarterly At Risk Report

Action Requested

The CMA Board is requested to review and approve the attached Quarterly At Risk report for local projects programmed in the Transportation Fund for Clean Air Program.

Discussion

The enclosed Quarterly At Risk report, June 2005 has been updated to reflect the project information the CMA has received through July 14, 2005. The report shows 7 projects in the red zone, primarily due to final monitoring reports (FMR) and expenditure deadlines. The report shows 11 projects in the yellow zone, representing projects with tasks required in the next 4 to 6 months (through December).

The green zone lists 8 projects and 6 projects have been completed. Completed projects will no longer be included in future reports.

Attachments

TFCA Program Manager Funds
At Risk Report-
July 2005

Board- Agenda Item 6.3.1
7/28/05

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
RED ZONE (Milestone within 3 months)							
02ALA15	AC Transit	Bus Stop Signage/Information	TFCA Award	Agree. Executed		2/3/03	Expenditure Deadline Dec 04 FMR Due Dec. 04
			\$ 164,457.00	Proj. Start		Jul-02	
			TFCA Expended	Final Reim.	12/31/05		
			\$ 95,654.09	FMR	Dec-04		
				Exp Deadline Met	12/19/04		
94ALA16	City of Livermore	East Avenue signal interconnect	TFCA Award	Agree. Executed		3/17/97	FMR Due Mar. 05, FMR Received- Reviewing
			\$ 46,441.00	Proj. Start		Jan-97	
			TFCA Expended	Final Reim.		3/5/99	
			\$ 46,441.00	FMR	Mar-05		
				Exp Deadline Met	2/13/97	yes	
95ALA09	City of Livermore	Arterial Traffic Management- East Avenue	TFCA Award	Agree. Executed		3/19/1997	FMR Due Mar. 05, FMR Received- Reviewing
			\$ 48,884.55	Proj. Start		Jan-97	
			TFCA Expended	Final Reim.		3/5/99	
			\$ 48,884.55	FMR	Mar-05		
				Exp Deadline Met	4/22/98	yes	
03ALA08	City of Oakland	CNG Refueling Station-Oakland	TFCA Award	Agree. Executed		Jul-03	Board approved extension request. Agreement Amendment sent 2/1/05. Due to CMA by 5/1/05. Received amendment 6/7/05, still need original agreement
			\$ 225,000.00	Proj. Start			
			TFCA Expended	Final Reim.	12/31/06		
			\$ -	FMR	Aug-06		
				Exp Deadline Met	6/30/06		
03ALA03	City of Emeryville	Class II Bicycle Lane- Doyle Street Greenway.	TFCA Award	Agree. Executed		7/9/04	FMR Due June 05 Expenditures Deadline Nov 05
			\$ 50,000.00	Proj. Start		Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ -	FMR	Jun-05		
				Exp Deadline Met	11/25/05		
03ALA07	City of Fremont	CNG Refueling Station-Fremont	TFCA Award	Agree. Executed		2/9/04	FMR Due Jun 05 Expenditures Deadline Nov 05
			\$ 96,242.00	Proj. Start		Jul-03	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 28,176.66	FMR	Jun-05		
				Exp Deadline Met	11/25/05		
02ALA10	City of Oakland	Coliseum BART Bus Stop Reloca- tion	\$ 192,000.00	Proj. Start		Jul-02	Expenditures Deadline Sep 05 FMR Due Jul 05
			TFCA Expended	Final Reim.	12/31/06		
			\$ 4,757.95	FMR	Jul-05		
				Exp Deadline Met	09/30/05		

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring 05- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report-
July 2005

Board- Agenda Item 6.3.1
7/28/05

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
YELLOW ZONE (Milestone within 4-6 Months)							
03ALA02	City of Berkeley	Berkeley BART: Attended Bikestation	TFCA Award	Agree. Executed		1/14/04	Expenditures Deadline Nov 05 FMR Due Oct 05
			\$ 86,136.00	Proj. Start		Sep-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ -	FMR	Oct-05		
				Exp Deadline Met	11/25/05		
02ALA06	City of Hayward	Soto Rd. Bicycle Gap Closure	TFCA Award	Agree. Executed		1/22/03	Expenditures Deadline Dec 05 FMR Due Nov 05
			\$ 183,500.00	Proj. Start		Sep-03	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 79,262.75	FMR	Nov-05		
				Exp Deadline Met	12/31/05		
03ALA12	ACCMA	Transit Bus Priority Systems, International Blvd.	TFCA Award	Agree. Executed		5/14/04	Expenditures Deadline Nov 05 FMR Due Aug 06
			\$ 500,000.00	Proj. Start		Feb-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 97,757.90	FMR	Jun-06		
				Exp Deadline Met	11/25/05		
03ALA04	City of Fremont	Class II Bicycle Lane- Fremont Blvd	TFCA Award	Agree. Executed		2/9/04	FMR Due Nov 05 Expenditures Deadline Nov 05
			\$ 100,250.00	Proj. Start		Feb-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 17,842.53	FMR	Nov-05		
				Exp Deadline Met	11/25/05		
93ALA20	City of San Leandro	Local Arterial Management Program	TFCA Award	Agree. Executed		8/25/93	FMR Due Dec 05
			\$ 44,044.00	Proj. Start		Jul-93	
			TFCA Expended	Final Reim.		95/96	
			\$ 44,044.00	FMR	Dec-05		
				Exp Deadline Met	3/29/96	yes	
94ALA20	City of San Leandro	Local Arterial Traffic Management	TFCA Award	Agree. Executed		2/22/94	FMR Due Dec 05
			\$ 50,898.00	Proj. Start		Jul-94	
			TFCA Expended	Final Reim.		7/1/97	
			\$ 50,898.00	Final Mon.	Dec-05		
				Exp Deadline Met	2/13/97	yes	
95ALA04	City of Dublin	Upgrade Traffic Signal Coordination	TFCA Award	Agree. Executed		9/16/97	FMR Due Dec 05
			\$ 22,011.00	Proj. Start		Sep-96	
			TFCA Expended	Final Reim.		11/19/98	
			\$ 22,011.00	FMR	Dec-05		
				Exp Deadline Met	4/22/98	yes	

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring 05- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report-
July 2005

Board- Agenda Item 6.3.1
7/28/05

Project No.	Sponsor	Project Title	Balances	Required Activity	Date Due	Activity Completed/ Date	Notes
95ALA13	City of San Leandro	Arterial Traffic Management-	TFCA Award	Agree. Executed		6/17/96	FMR Due Dec 05
			\$ 62,657.00	Proj. Start		Jul-95	
			TFCA Expended	Final Reim.		9/15/99	
			\$ 62,657.00	FMR	Dec-05		
				Exp Deadline Met	4/22/98	yes	
96ALA11	City of San Leandro	Advanced Traffic Management System- Citywide	TFCA Award	Agree. Executed		5/17/99	FMR Due Dec 05
			\$ 416,150.00	Proj. Start		Jul-96	
			TFCA Expended	Final Reim.		6/30/03	
			\$ 416,150.00	FMR	Dec-05		
				Exp Deadline Met	11/26/02	yes	
00ALA12	BART	Fruitvale Attended bicycle Parking Facility	TFCA Award	Agree. Executed		10/3/02	FMR Due Dec 05 Expenditures Deadline Dec 05
			\$ 400,000.00	Proj. Start		Jul-00	
			TFCA Expended	Final Reim.			
			\$ 308,188.00	FMR	Dec-05		
				Exp Deadline Met	12/31/05		
01ALA13	ACCMA	ACE Shuttle Service	TFCA Award	Agree. Executed		8/11/00	FMR Due Dec 05
			\$ 740,000.00	Proj. Start		Oct-01	
			TFCA Expended	Final Reim.		Jan-02	
			\$ 740,000.00	FMR	Dec-05		
				Exp Deadline Met	12/21/03	yes	

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring 05- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report-
July 2005

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7/28/05

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed/ Date</u>	<u>Notes</u>
GREEN ZONE (Milestone beyond 6 months)							
04ALA02	City of Union City	Compressed Natural Gas Fueling Facility Improvements	TFCA Award	Agree. Executed	5/9/05	5/10/05	FMR Due June 06
			\$ 50,000.00	Proj. Start	Jun-05	May-05	
			TFCA Expended	Final Reim.	12/31/07	6/29/05	
			\$ 50,000.00	FMR	Jun-06		
				Exp Deadline Met	4/13/07	yes	
01ALA10	City of San Leandro	Arterial Management: Advanced Signal System	TFCA Award	Agree. Executed		3/18/02	FMR Due Jul 06
			\$ 42,500.00	Proj. Start			
			TFCA Expended	Final Reim.	12/31/04	Aug-04	
			\$ 42,500.00	FMR	Jul-06		
				Exp Deadline Met	12/21/03	yes	
99ALA01	ACCMA	Arterial Management- I-880 Smart Corridor	TFCA Award	Agree. Executed		9/20/99	FMR Due July 06
			\$ 182,000.00	Proj. Start		Feb-00	
			TFCA Expended	Final Reim.		3/21/02	
			\$ 182,000.00	FMR	Jul-06		
				Exp Deadline Met	2/28/02	yes	
03ALA13	ACCMA	Guaranteed Ride Home Program	TFCA Award	Agree. Executed	8/14/04	5/14/04	Expenditures not complete FMR Due Sep 06
			\$ 231,200.00	Proj. Start	Sep-04	Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 93,487.41	FMR	Sep-06		
				Exp Deadline Met	6/30/06		
03ALA14	City of Berkeley	City Carshare- Eastbay Expansion	TFCA Award	Agree. Executed	11/11/04	11/29/04	Expenditures not complete FMR Due Sep 06
			\$ 125,996.00	Proj. Start	Feb-05	12/1/04	
			TFCA Expended	Final Reim.	12/31/06		
			\$ 71,112.57	FMR	Sep-06		
				Exp Deadline Met	6/30/06		
03ALA15	LAVTA	ACE Shuttle to the Dublin/ Pleasanton BART Station (From Pleasanton ACE Station) for FY 04/05 and FY 05/06 Operations	TFCA Award	Agree. Executed	11/11/04	10/14/04	Expenditures not complete FMR Due Sep 06
			\$ 83,934.00	Proj. Start	Jul-04	Jul-04	
			TFCA Expended	Final Reim.	12/31/06		
			\$20,487.63	FMR	Sep-06		
				Exp Deadline Met	6/30/06		
96ALA10	City of Oakland	Arterial Traffic Signal Management- Citywide	TFCA Award	Agree. Executed		7/24/96	FMR Due date extended to Oct. 06
			\$ 850,000.00	Proj. Start		Oct-98	
			TFCA Expended	Final Reim.		4/9/03	
			\$ 850,000.00	FMR	Oct-06		
				Exp Deadline Met	12/31/02	yes	

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring 05- Timely Use of Funds

TFCA Program Manager Funds
At Risk Report-
July 2005

Board- Agenda Item 6.3.1
7/28/05

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed/ Date</u>	<u>Notes</u>
04ALA01	City of Fremont	Signal Retiming: Auto Mall Pkwy., Paseo Padre Pkwy., Warm Springs Blvd., and Fremont Blvd.	TFCA Award	Agree. Executed	5/6/05	5/19/05	Expenditures not complete FMR Due Mar. 08
			\$ 123,000.00	Proj. Start	Jun-05		
			TFCA Expended	Final Reim.	12/31/07		
			\$ -	FMR	Mar-08		
				Exp Deadline Met	4/13/07		

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

TFCA Program Manager Funds
At Risk Report-
July 2005

Board- Agenda Item 6.3.1
7/28/05

<u>Project No.</u>	<u>Sponsor</u>	<u>Project Title</u>	<u>Balances</u>	<u>Required Activity</u>	<u>Date Due</u>	<u>Activity Completed/Date</u>	<u>Notes</u>
Projects Done/Completed and Will Be Removed from the Monitoring Program							
97ALA33	City of Oakland	Class 2 Bicycle Lanes- 3rd St. Corridor (1.3mi.), Hegenberger (3.3mi), & Foothill Bancroft	TFCA Award	Agree. Executed		5/17/04	FMR Received Project Completed
			\$ 20,000.00	Proj. Start		Mar-99	
			TFCA Expended	Final Reim.		5/28/04	
			\$ 20,000.00	FMR	May-05	Jun-05	
				Exp Deadline Met	12/4/00	yes	
99ALA06	City of Oakland	Class II Bicycle Lane- 3rd St. (1.3mi.)	TFCA Award	Agree. Executed		10/31/01	FMR Received Project Completed
			\$ 34,618.00	Proj. Start		Nov-99	
			TFCA Expended	Final Reim.		5/28/04	
			\$ 34,618.00	FMR	May-05	Jun-05	
				Exp Deadline Met	11/17/01	yes	
01ALA04	City of Oakland	City of Oakland Bicycle Route Signage	TFCA Award	Agree. Executed		1/28/04	FMR Received Project Completed
			\$ 91,513.91	Proj. Start		Jul-01	
			TFCA Expended	Final Reim.	12/31/05	6/29/05	
			\$ 91,513.91	FMR	May-05	Jun-05	
				Exp Deadline Met	12/31/04	yes	
01ALA07	City of Oakland	Eastlake Streetscape Enhancement Program	TFCA Award	Agree. Executed		4/23/02	FMR Received Project Completed
			\$ 200,000.00	Proj. Start		Jul-01	
			TFCA Expended	Final Reim.	12/31/04	Apr-04	
			\$ 200,000.00	FMR	May-05	Jun-05	
				Exp Deadline Met	12/21/03	yes	
02ALA07	LAVTA	Automatic Vehicle Locators for LAVTA Fleet	TFCA Award	Agree. Executed		2/12/03	FMR Received Project Completed
			\$ 750,000.00	Proj. Start		Oct-03	
			TFCA Expended	Final Reim.	12/31/05	1/13/05	
			\$ 750,000.00	FMR	Sep-04	Jul-05	
				Exp Deadline Met	12/19/04	yes	
02ALA08	City of Livermore	Las Positas/Altamont Creek Multi-Use Trail	TFCA Award	Agree. Executed		4/3/03	FMR Received Project completed
			\$ 140,170.51	Proj. Start		May-02	
			TFCA Expended	Final Reim.	12/31/05	6/29/05	
			\$ 140,170.51	FMR	Mar-05	Jun-05	
				Exp Deadline Met	12/19/04	yes	

Agree Executed- Date TFCA Agreement executed
Proj. Start- Date of project initiation
FMR- Date final monitoring report submitted
Exp. Deadline Met- Expenditure occurred before deadline

Spring 05- Timely Use of Funds

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July 18, 2005

Board Agenda Item 6.3.2
Mtg Date: July 28, 2005

Frank R. Furger, Deputy Director
Alameda County Congestion Management Agency
1333 Broadway Suite 220
Oakland, CA 94612

**Subject: Quarterly Project Monitoring Report
Federally funded – Locally Sponsored Projects – Alameda County
At Risk Report – June 2005**

Dear Mr. Furger:

Enclosed is the Federal At Risk Report dated June 2005. The Report is intended to identify activities required to comply with the project delivery requirements set forth in MTC's Resolution 3606 related to projects funded with STP and CMAQ funds. There are 13 locally sponsored federally funded projects segregated by "zone." Red zone projects are considered at a relatively high risk of non-compliance with the provisions of Resolution 3606. Yellow zone projects are considered at moderate risk, and green zone at low risk. The criteria for determining the risk zone are listed in a table near the end of the report. The durations included in the criteria are intended to provide adequate time for project sponsors to perform the required activities to meet the deadline(s). A project may have multiple risk factors that indicate multiple zones. The risk zone associated with each risk factor is indicated in the report. Projects with multiple risk factors are listed in the zone of higher risk. Attachment A provides details related to the deadlines associated with each of the Required Activities. The relationship between the Required Activities and the deadlines is the basis for determining the risk zone for a given project with the exception of the Required Activity for submitting the environmental package one year in advance of the obligation deadline for right of way or construction capital funding. This Required Activity is tracked and reported, but is not affiliated with any zone of risk.

The information presented in the report is based on the information made available to the project monitoring team. This information stems from the project sponsors as well as other funding agencies such as MTC and Caltrans Local Assistance.

If you have any questions regarding the enclosed report, please contact me at (510) 502-4357.

Sincerely,
ADVANCE PROJECT DELIVERY INC.

James P. O'Brien
Enc.

**130 Bush Street, Floor 5
Tel (415) 296-7908**

**San Francisco, CA 94104
Fax (415) 296-8343**

Red Zone Projects

Red Zone Criteria:

Please refer to the zone criteria page included in this report.

Index	TIP ID	Sponsor	Project Title	Fund Source	Program'd Amount (\$ x 000)	Phase	FY	Required Activity (See Attachment A for definitions)	Date Req'd by	Zone ¹	Notes	Prev Zone
1	ALA050022	Fremont	Rehab on Various Sts	STP	\$ 1,753	CON	05/06	Sub ENV package Req Project Field Rev Sub Req for Auth	6/30/05 8/04/05 4/01/06	NA R G		R Y G
2	ALA050024	Livermore	South Vasco Rd Rehab	STP	\$ 300	CON	05/06	Sub ENV package Req Project Field Rev Sub Req for Auth	6/30/05 8/04/05 4/01/06	NA R G		R Y G
3	ALA050028	Oakland	Chinatown Ped Imps	CMAQ	\$ 267	ENV	04/05	Encumber Funds Req Project Field Rev	6/30/06 8/04/05	G R	\$267k oblig. 5/17/05	Y G
				CMAQ	\$ 265	CON	05/06	Sub ENV package Sub Req for Auth	6/30/05 4/01/06	NA G		R G
				CMAQ	\$ 1,017	CON	05/06	Sub Req for Auth	4/01/06	G		G
				CMAQ	\$ 651	CON	06/07	Sub Req for Auth	4/01/07	G		G
4	ALA050023	Oakland	Rehab on Various Sts	STP	\$ 499	CON	05/06	Sub ENV package Req Project Field Rev Sub Req for Auth	6/30/05 8/04/05 4/01/06	NA R G		R Y G
				STP	\$ 1,074	CON	06/07	Sub Req for Auth	4/01/07	G		G

Notes:

¹ Zone Indicator: R = Red; Y = Yellow; G = Green; NA = Not Applicable.

Yellow Zone Projects

Yellow Zone Criteria:

Please refer to the zone criteria page included in this report.

There are no Yellow Zone projects this Report

Green Zone Projects

Green Zone Criteria:
Please refer to the zone criteria page included in this report.

Index	TIP ID	Sponsor	Project Title	Fund Source	Program'd Amount (\$ x 000)	Phase	FY	Required Activity (See Attachment A for definitions)	Date Req'd by	Zone ¹	Notes	Prev Zone
5	ALA030002	Ala. County	Vasco Road Safety Imps. Phase 1	STP	\$ 3,900	ROW	04/05	Encumber Funds	6/30/06	G	E-76 effective 6/29/05	Y
6	ALA050021	Ala. County	East Ave Rehab	STP STP	\$ 27 \$ 505	PSE CON	04/05 05/06	Encumber Funds Sub Req for Auth	6/30/06 4/01/06	G G	E-76 effective 2/28/05	G G
7	ALA010063	AC Transit	Aquire 416 Bus Catalyst Devices	CMAQ	\$ 68	CON	04/05	Award into FTA Grant	6/30/06	G	\$68k obligated 4/28/05	R
8	ALA050020	Berkeley	Gilman Street Rehab	STP	\$ 705	CON	06/07	Req Project Field Rev Sub ENV package Sub Req for Auth	8/04/05 6/30/06 4/01/07	G NA G	Requested 7/7/05	R G G
9	ALA050025	Hayward	Hesperian Blvd Rehab	STP	\$ 553	CON	05/06	Sub ENV package Req Project Field Rev Sub Req for Auth	6/30/05 8/04/05 4/01/06	NA G G	Submitted 6/29/05 Requested	R R G
10	ALA030015	LAVTA	Acquire 25 Bus Catalyst Devices	CMAQ	\$ 175	CON	04/05	Award into FTA Grant	6/30/06	G	\$175k obligated 5/20/05 transfer letter sent to FTA	Y
11	ALA030017	LAVTA	Exp. Bus -Route 70 & Subscript. Routes	CMAQ	\$ 89	CON	04/05	Award into FTA Grant	6/30/06	G	\$89k obligated 4/28/05	Y
12	ALA050026	San Leandro	Washington Ave Rehab	STP STP	\$ 30 \$ 282	PSE CON	04/05 05/06	Encumber Funds Sub Req for Auth	6/30/06 4/01/06	G G	E-76 effective 2/24/05	G G
13	ALA990015	Union City	UC Intermodal Station	CMAQ	\$ 1,124	CON	05/06	Sub Req for Auth	4/01/06	G	TLC \$ –in process of transferring to FTA	G

Notes:

¹ Zone Indicator: R = Red; Y = Yellow; G = Green; NA = Not Applicable

Federal At Risk Report -Zone Criteria

Red Zone Criteria:

Request Project Field Review -project in TIP for more than two (2) months;
Submit Request for Authorization (PE-ENV) deadline within two (2) months;
Submit Request for Authorization (PE-PSE) deadline within two (2) months;
Submit Request for Authorization (ROW) deadline within four (4) months;
Submit Request for Authorization (CON) deadline within four (4) months;
Obligation/ FTA Transfer deadline within two (2) months;
Fund Encumbrance deadline within two (2) months;
Construction award deadline within six (6) months;
Fund Liquidation deadline within four (4) months; and/or
Project Closeout deadline within four (4) months.

Yellow Zone Criteria:

STIP/TIP amendment pending;
Request Project Field Review -project in TIP for less than two (2) months; (more than 2 months – red zone);
Submit Request for Authorization (PE-ENV) deadline within six (6) months; (within 2 months – red zone);
Submit Request for Authorization (PE-PSE)) deadline within six (6) months; (within 2 months – red zone);
Submit Request for Authorization (ROW) deadline within nine (9) months; (within 4 months – red zone);
Submit Request for Authorization (CON) deadline within nine (9) months; (within 4 months – red zone);
Obligation/ FTA Transfer deadline within four months; (within two months-red zone);
Fund Encumbrance deadline within four months; (within two months-red zone);
Construction award deadline within nine (9) months, (within 6 months – red zone);
Fund Liquidation deadline within nine (9) months; (within 4 months – red zone); and/or
Project Closeout deadline within nine (9) months; (within 4 months – red zone).

Green Zone Criteria:

All conditions other than Red or Yellow Zone.

Attachment A

Definitions of Required Activities			
Index	Required Activity	Definition	Deadline
1	Req Proj Field Rev	Per MTC Resolution 3606, "Implementing agencies are required to request a field review within six months from MTC's approval of the project in the TIP."	6 months from adoption into the TIP.
2	Sub ENV package	Per MTC Resolution 3606, "Implementing agencies are required to submit a complete environmental package to Caltrans for all projects (except those determined <i>Programmatic Categorical Exemption</i> as determined by Caltrans at the field review), twelve months prior to the obligation deadline for right of way or construction funds." (This requirement does not apply to FTA transfers or planning activities).	12 months prior to the obligation deadline for RW or Con funds.
3	Sub Req for Auth	Per MTC Resolution 3606, "Implementing agencies are required to submit the complete request for obligation or FTA transfer to Caltrans Local Assistance by April 1 of the fiscal year programmed in the TIP, and receive an obligation/FTA transfer of the funds by June 30th of the fiscal year programmed in the TIP."	April 1 of FY in which funds are programmed in the TIP.
4	Obligate Funds	Per MTC Resolution 3606, "Funds must be obligated by June 30 th of the fiscal year in which they are programmed in the TIP. Funds not obligated (or transferred to FTA) by June 30 of the fiscal year programmed in the TIP will be returned to MTC for reprogramming." (No extensions will be granted to the obligation deadline).	June 30 of FY in which funds are programmed in the TIP.
5	Encumber Funds/ Award into FTA Grant	Per MTC Resolution 3606, "Funds must be encumbered within one state fiscal year following the fiscal year in which the funds were obligated (encumbrance is approval of a funding agreement with the state). This requirement does not apply to FTA transfers. For FTA projects, funds must be approved/awarded in a FTA Grant within one state fiscal year following the fiscal year in which the funds were transferred to FTA."	End (June 30) of State FY following FY of obligation.
6	Award Contract	Per MTC Resolution 3606, "Construction/Equipment Purchase contract must be awarded within one state fiscal year following the fiscal year in which the construction funds were obligated (this requirement does not apply to FTA transfers)."	End (June 30) of State FY following FY of obligation.
7	Liquidate Funds	Per MTC Resolution 3606, "Funds must be liquidated (expended, invoiced and reimbursed) within four state fiscal years following the fiscal year in which the funds were obligated (this requirement does not apply to FTA transfers)."	End (June 30) of fourth State FY following FY of obligation.
8	Project Close-out	Per MTC Resolution 3606, "Project must be accepted and closed out within one year of the last expenditure, or within five state fiscal years following the fiscal year in which the funds were obligated, whichever occurs first (this requirement does not apply to FTA transfers)."	One year after date of last expenditure; or end (June 30) of fifth State FY following FY of obligation, whichever occurs first.

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ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

LOCAL BUSINESS ENTERPRISE POLICY

I. PURPOSE OF LBE POLICY

It is the policy of the Alameda County Congestion Management Agency ("CMA") to encourage businesses to locate and remain in Alameda County, to employ residents of Alameda County and to spend CMA funds for goods and services within the County. Certain tax and grant revenue received by the CMA are derived from local sources and/or intended to benefit the transportation system in Alameda County. In order to promote and facilitate full participation in by qualified local business enterprises and to ensure that a fair proportion of the contracts or subcontracts and contracts for the provisions of goods and professional services for CMA be placed with these enterprises, CMA hereby adopts a Local Business Enterprise Policy ("LBE Policy"). A Local Business Enterprise ("LBE") is a business based in Alameda County that meets the criteria stated in Section II.A. below.

II. STATEMENT OF LBE POLICY

CMA shall encourage the utilization of Prime Contractors that are LBEs on all contracts over \$25,000. CMA shall encourage all Prime Contractors to utilize qualified LBE Subcontractors on CMA projects. CMA shall promote the direct purchase of goods from qualified LBEs by utilizing LBE vendors when such vendors are available and the price of the goods sought is reasonable. For professional services contracts, CMA shall seek the utilization of qualified LBEs when such LBEs are available.

A. For purposes of this LBE Policy, an LBE shall be an economically independent and continuing business which is located within Alameda County and which can establish each of the following criteria:

1. The business must be located at a fixed address which constitutes a business location and where administrative, clerical, professional or productive work is being performed, relative to its contracts, and not a temporary or movable office, a post office box or a telephone answering service;
2. If the business has an office outside of Alameda County as well as an office within Alameda County, the office within Alameda County must be staffed with someone in the employ of the business with the exception of small businesses with fewer than five employees. For these small businesses, the office within Alameda County must occupy space which is exclusive for operating the business;
3. The location of the business must have been within Alameda County for at least one (1) year prior to the contract award date;

4. The business must have a valid business license or tax certificate from its respective city or Alameda County dated at least one (1) year prior to the contract award date;

5. The business must have proof of one or more past or current contracts citing the business address (such as contracts to perform work, to rent space or equipment, or for other business services) that evidences the applicant's address in Alameda County at least one (1) year prior to the expected award date;

6. The business shall be considered bona fide if the business' ownership interests are real and continuing and not created merely for the purpose of meeting the objectives of CMA's LBE Program; and

7. The business may not act as a passive conduit without contributing an added value or actual portion of the work awarded.

B. This LBE Policy is neutral as to race, ethnicity, national origin, age, sex, religion, sexual orientation and other protected classes. In the event that this LBE Policy conflicts with federal, State or other funding source's programs, policies, regulations or requirements, CMA shall make this LBE policy consistent as to projects funded by said funding source's programs, policies, regulations and requirements to the extent permissible by law.

III. OUTREACH EFFORTS

CMA will utilize a range of outreach efforts to Local Business Enterprises, including but not limited to:

A. Sponsoring and participating in workshops describing CMA, its LBE policy and its upcoming projects.

B. Developing, maintaining and making available to potential contractors lists of LBE firms that have expressed interest in CMA projects.

IV. REPORTING PARTICIPATION

Pursuant to CMA's LBE Policy, all entities contracting with CMA shall report LBE participation to CMA in the form attached hereto as **Exhibit A**. If an entity does not utilize an LBE on a CMA project, that entity shall report to CMA that no LBE was utilized and the reasons an LBE could not be utilized. Such reports shall be prepared by the reporting entity on an annual basis (if the contract exceeds one year) or at the completion of the contract term (if less than one year).

**EXHIBIT A
LBE PARTICIPATION REPORT**

Name of Contractor _____

Project Name		Contract Amount	Name, Address and Phone Number of all LBE Firms Participating on this Project (Source of LBE Certification if available)	Percentage and Dollar Value of LBE Project Participation	Nature of Participation
1.					
2.					
3.					
4.					

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

SMALL BUSINESS ENTERPRISE POLICY

I. PURPOSE OF SBE POLICY

The Alameda County Congestion Management Agency (“CMA”) recognizes the difficulties small business enterprises may encounter when competing against larger more established businesses for construction, purchasing and professional services contracts. CMA is concerned with the under utilization of small business enterprises in CMA contracts. In an effort to promote and facilitate full participation in our free competitive enterprise system by qualified small business enterprises and to ensure that a fair proportion of the contracts or subcontracts and contracts for the provisions of goods and professional services for CMA be placed with these enterprises, CMA hereby adopts a Small Business Enterprise Policy (“SBE Policy”).

II. STATEMENT OF SBE POLICY

CMA shall encourage all Prime Contractors to utilize qualified SBE Subcontractors on CMA projects. CMA shall promote the direct purchase of goods from qualified SBEs by utilizing SBE vendors when such vendors are available and the price of the goods sought is reasonable. For professional services contracts, CMA shall seek the utilization of qualified SBEs when such SBEs are available.

For purposes of this SBE Policy, an SBE shall be a “small business” within the meaning of 13 CFR Part 121 and California Government Code Section 14837. In the event that this SBE Policy conflicts with federal, State or other funding source’s programs, policies, regulations or requirements, CMA shall make this SBE Policy consistent with said funding source’s programs, policies, regulations and requirements to the extent permissible by law. This SBE Policy is neutral as to race, ethnicity, national origin, age, sex, religion, sexual orientation and other protected classes.

III. REPORTING PARTICIPATION

Pursuant to CMA's SBE Policy, all entities contracting with CMA shall report SBE project participation to CMA in the form attached hereto as **Exhibit A**. If an entity does not utilize an SBE on a CMA project, that entity shall report to CMA that no SBE was utilized and the reasons an SBE could not be utilized. Such reports shall be prepared by the reporting entity on an annual basis (if the contract exceeds one year) or at the completion of the contract term (if less than one year).

EXHIBIT A
SBE PARTICIPATION REPORT

Name of Contractor _____

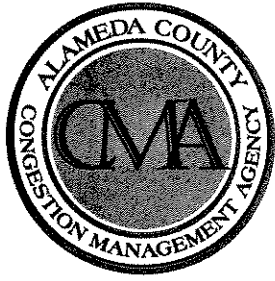
Project Name		Contract Amount	Name, Address and Phone Number of all SBE Firms Participating on this Project (Source of SBE Certification if available)	Percentage and Dollar Value of SBE Project Participation	Nature of Participation
1.					
2.					
3.					
4.					

Cal. Gov. Code §14837.

(d) (1) "Small business" means an independently owned and operated business, which is not dominant in its field of operation, the principal office of which is located in California, the officers of which are domiciled in California, and which, together with affiliates, has 100 or fewer employees, and average annual gross receipts of ten million dollars (\$10,000,000) or less over the previous three years, or is a manufacturer, as defined in subdivision (c), with 100 or fewer employees.

13 CFR Part 121/201

These regulations set the standards for eligibility based on Size Standards by SIC Industry. They are available on line at <http://www.sba.gov/library/cfrs/13cfr121.pdf> or from CMA.



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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*July 28, 2005
Agenda Item 6.4.2*

Memorandum

Date: July 20, 2005
To: CMA Board
From: Administration and Legislation Committee
Subject: I-680 Smart Carpool Lane: Public Outreach Contract

Action Requested

The I-680 Smart Carpool Lane project is in the environmental and preliminary design phase. High Occupancy Toll lanes are a new concept in the Bay Area and input is needed from the public and stakeholders on the proposed design and operations of the Smart Lane. Staff is seeking consultant services for public outreach for open house meetings, stakeholder interviews and facilitation of Task Force meetings over the next eighteen months. The services will be funded with a combination of Measure B and federal funds. It is recommended that the Executive Director be authorized to execute agreements for consultant services for public outreach in an amount not to exceed \$150,000.

Next Steps

Representatives from ACTIA, VTA, MTC and Caltrans will be invited to participate in the selection of the consultant.

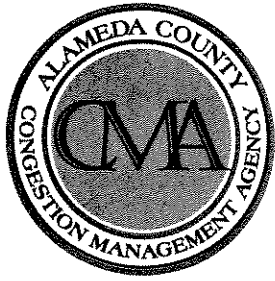
Discussion

The I-680 HOT Lane Feasibility Study, completed in 2004, included focus group work, a public opinion poll, and numerous meetings with various stakeholders including business organizations, environmental groups, elected officials at all levels of government, and MTC and other public agencies. The reaction to the project has been favorable thus far.

The project has progressed to environmental and preliminary design phase and additional public outreach is needed. It appears that Caltrans and FHWA will determine that a Categorical Exemption/Exclusion is appropriate. Although a public meeting is not required, both agencies have recommended that we hold a public information meeting. In addition, staff would like to continue earlier efforts to interview Stakeholders and form a Task Force to provide input on the design and operation of the Smart Lane. The results of

the public outreach will be provided to the I-680 Smart Carpool Lane Policy Advisory Committee. In addition, the consultant will be asked to assist in the development of a scope of work for public education and marketing of the Smart Lane. A separate RFP will be issued for those services.

The public meetings and stakeholder/task force services are expected to extend over the next 18 months. The consultant services will be funded by a combination of Measure B and federal funds. It is recommended that the Executive Director be authorized to execute agreements for consultant services for public outreach in an amount not to exceed \$150,000.



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*Agenda Item 6.4.3
July 28, 2005*

Memorandum

DATE: July 15, 2005
TO: CMA Board
FROM: Administration & Legislation Committee
SUBJECT: Telegraph/International Rapid Bus Corridor – Amendment to Agreement with AC Transit for Additional Work

Action Requested:

AC Transit has requested the addition of Broadway/20th Street Modification Project and a number of other minor items of work as a part of the E. 14th Street/International/Telegraph Rapid Bus project. The estimated total cost for this additional work is \$2,838,110. It is recommended that CMA Board:

1. Authorize the Executive Director to negotiate and execute an amendment to the agreement with AC Transit for the 20th Street Modification Project and other items of work, not to exceed \$2,838,110.
2. Authorize the Executive Director to execute all necessary agreements required for the activities related to these additional items such as professional services, including design and construction management and equipment.

This Action does not include entering into construction contracts which will be brought back to the CMA Board for Award.

Discussion:

The CMA Board on September 23, 2004, October 28, 2004, and June 23, 2005 authorized the Executive Director to negotiate and execute agreements with AC Transit for a total amount of \$16,105,425 for the E. 14th Street/International/Telegraph Rapid Bus Corridor implementation. The funding for the project is from various sources including Measure B, Regional Measure 2, Federal, TFCA, and STIP funds.

AC Transit has requested from CMA to undertake the 20th Street Modification Project, between Broadway and Telegraph Avenue, and to construct these improvements as a part of Rapid Bus program. AC Transit was originally planning to work with the City of Oakland in conjunction with Oakland's Inner Telegraph Project, including the construction of improvements on 20th Street within that Project. Oakland's project is now delayed. In order to avoid construction on 20th Street at the same time as the E. 14th Street/International/Telegraph Rapid Bus is being inaugurated, AC Transit has requested CMA to take over management of the construction of this project.

AC Transit has retained Carter-Burgess to design the project and will be directly paying for the design services for the project. Carter-Burgess will finalize the design and will turn over the project to CMA

for construction. CMA's consultants will coordinate the design approval with the City of Oakland, advertise and bid the project, and will manage the construction of the project.

The estimated construction costs for the project is approximately \$1,691,000. CMA has included a 10% contingency, construction administration, inspection services and CMA administration costs for a total estimated cost of \$2,541,110.

In addition, AC Transit has requested or agreed to pay for a number of other additional improvements that have been requested by AC Transit and Local Agencies that were not originally anticipated with the project. The following are the additional items of work:

- | | |
|----------------------------------------------------------------------------------------------------------------|----------|
| ▪ Signal Modifications at Broadway/11 th , Broadway/20 th , Telegraph/20 th : | \$97,000 |
| ▪ Broadway/20 th Bus Stop Modifications: | \$80,000 |
| ▪ Additional Wheelchair Ramps throughout the project corridor: | \$95,000 |
| ▪ Modem Replacements for San Pablo Avenue: | \$25,000 |

In addition, AC Transit will provide additional funding, if needed, to supplement the total project budget based on the actual bid amounts, if higher than the current estimates, and will be responsible for any valid claims that may be submitted by the contractors during the construction phase of the project. This provision will be included in the amendment to the Agreement with AC Transit.

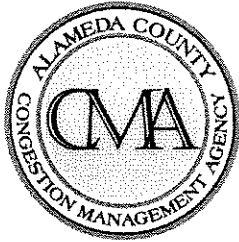
Funding for the additional item will be provided through the Regional Measure 2 and Measure B funds. This Amendment will provide the means for CMA to receive the funds and to execute the necessary agreements with the consultant and contractors for the delivery of these items of work.

Exhibit A shows the total project funding, including the revised budget amounts. The total revised budget for the project is **\$18,943,535**

Exhibit A

PROJECT COMPONENT	ITEM	Estimate of Probable Cost	AC Transit			CMA
			Regional Measure 2 & Measure B	FTA (72R)	CMA TIP	TFCA
Rapid Bus and Signal Enhancements	Original Scope	\$12,886,412	\$ 8,620,150	\$ 700,000	\$ 2,172,262	\$ 1,394,000
Smart Corridor Enhancements		\$ 2,327,738			\$ 2,327,738	
GPS Radios for Telegraph Avenue		\$ 20,000	\$ 20,000			
Pole Design for Rapid Bus Flags		\$ 15,000	\$ 15,000			
PG&E Service Coordination for Bus Shelters		\$ 50,000	\$ 50,000			
Before and After Studies - On-Board Survey	Amendment No. 1	\$ 150,575	\$ 150,575			
34 th Avenue Bus Stop Modifications		\$ 158,000	\$ 158,000			
Closed Circuit TV at end of Bus Lines		\$ 340,000	\$ 340,000			
Video Image Detection in Oakland		\$ 80,000	\$ 80,000			
Server Implementation for Data Retrieval		\$ 32,700	\$ 32,700			
Caltrans Staff Time Reimbursement		\$ 25,000	\$ 25,000			
City of Oakland Staff Time Reimbursement		\$ 20,000	\$ 20,000			
20 th Street Reconstruction	Proposed Amendment No. 2	\$ 2,541,110	\$ 2,541,110			
Broadway/Telegraph Signal Modifications		\$ 97,000	\$ 97,000			
20 th Street Bus Stop Modifications		\$ 80,000	\$ 80,000			
ADA Ramp Additions		\$ 95,000	\$ 95,000			
San Pablo Avenue Modems		\$ 25,000	\$ 25,000			
GRAND TOTAL		\$ 18,943,535	\$ 12,349,535	\$ 700,000	\$ 4,500,000	\$ 1,394,000

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*July 28, 2005
Agenda Item 7.1*

MEMORANDUM

Date: July 21, 2005
To: CMA Board
From: Plans and Program Committee
Subject: Draft 2005 Congestion Management Program

Action Requested

It is recommended that the Board approve the Draft 2005 Congestion Management Program and authorize staff to circulate it for comment. A full copy of the draft was sent to each Board member as part of the Committee mailings in early July; please refer to this copy. A copy of the document can also be found on the CMA's website. The draft document will be transmitted to the Metropolitan Transportation Commission upon approval by the Board. The final 2005 CMP will be scheduled for action including a public hearing based on the schedule for the adoption of the State Transportation Improvement Program.

Next Steps

The draft document will be transmitted to the Metropolitan Transportation Commission upon approval by the Board. The release of the STIP fund estimate has been delayed. The final 2005 CMP will be scheduled for Board approval following the release of the STIP fund estimate and subsequent development of the projects proposed for the 2006 STIP.

Discussion

The CMP is required to be updated every two years in odd-numbered years. The 2005 CMP update began in January of this year. Changes were made to chapters on Designated Roadway System, LOS Monitoring and Conformance, Monitoring and Deficiency Plans along with other minor updates based on the recommendations of ACTAC, Plans and Programs Committee and the CMA Board. The draft CMP document was reviewed by the Plans and Programs Committee in May and July.

Substantive changes were made to the following chapters:

Chapter 2: Designated Roadway System

Changes were made to the following CMP roadways: Route 84 - the old State Route 84 alignment in Livermore and two roadways in Alameda.

- New State Route 84 alignment along Isabel Ave (5.3 miles) in Livermore was added to the CMP roadway network.
- Old State Route 84 was shortened to 2 miles on the east end from its previous 6.2 miles to meet principal arterial criteria.
- Portion of Park Avenue and SR 61 (Doolittle Drive) in Alameda were reclassified/re-segmented based on segmentation and classification criteria (free flow speed and posted speed limit).

Chapter 3: Level of Service Standards

The following substantive changes were made to this chapter along with other minor updates based on the recommendations of the CMA Board and ACTAC:

- No changes to be made to the criteria for roadway segmentation or the addition of roadway segments.
- The CMP roadways to be monitored during both morning and evening peak periods starting 2006 LOS Monitoring period. The a.m. peak monitoring is for information only.
- Added the LOS F range developed for 2004 LOS Monitoring Study.

Chapter 7: Capital Improvement Program

This chapter has been updated partially pending the release of the STIP fund estimate. Current changes to Chapter 7 include an update to the MTC policy with respect to the distribution of STP/CMAQ funds in the region and an update to the Capital Improvement Program table. Minor technical revisions have also been made to the Capital Improvement Program projects listing since the Plans and Programs Committee meeting in July.

Chapter 8: Conformance, Monitoring and Deficiency Plans

Changes to LOS Monitoring process has been made by adding text indicating that all of the CMP roadway segments will be monitored during a.m. peak period and that it will be for information only.

Chapter 9: Database and Travel Model

This chapter has been modified to indicate that a major update to the countywide model is underway, and is scheduled to be completed in the summer 2006.

Chapter 10: Conclusions and Implementation Issues

Three additions are included in this chapter:

- The current model is based on Census 1990 and Projections 2002 of ABAG, and until the new model becomes available in the summer 2006, the current model will be used.
- The CMA will investigate and develop a process through reviews with ACTAC to transition from following the roadway standards based on HCM 1985 to HCM 2000.
- The schedule for review of the CMP Roadway system and criteria for adding new roadways has been updated to show that next review will be done in four years.



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*Agenda Item 8.1
July 28, 2005*

Memorandum

DATE: July 19, 2005
TO: CMA Board
FROM: Administration and Legislative Committee
SUBJECT: Authorization to Award the contract for the Broadway and Telegraph Avenue Rapid Bus Contracts for the Rapid Bus Project

Action Requested:

It is recommended that the CMA Board to take the following actions:

1. Authorize the Executive Director to award and sign a contract with Ray's Electric, the apparent low bidder, for the amount of \$590,170.00, for the Broadway Project.
2. Authorize the Executive Director to award and sign a contract with Stieny and Company, Inc., the apparent low bidder, for the amount of \$3,680,353.00, for the Telegraph Project.
3. Allocate a 10% contingency for each contract for the amount of \$59,017 for the Broadway Project and \$368,035 for the Telegraph Project; and to authorize the Executive Director or his designee, to issue Contract Change Order(s) up to the designated amounts, if needed, through the course of the construction of the project.

Discussion:

The Alameda County CMA, in association with AC Transit, have secured a total of \$16,105,425 in Measure B, Regional Measure 2, Federal, TFCA, and STIP funds to plan, design and deploy the E. 14th Street/International Blvd/Telegraph Avenue Rapid Bus program. The project extends from Bayfair Mall to the University of California at Berkeley Campus.

The CMA Board on September 23, 2004, October 28, 2004 and June 23, 2005 authorized the Executive Director to negotiate and execute an agreement with AC Transit for the E. 14th /Telegraph/ International Rapid Bus Corridor implementation, and to execute consultant contracts to start project delivery activities for the Rapid Bus program. On March 24, 2005, the CMA Board authorized the Executive Director to issue a series of Request for Bids for equipment procurement and construction elements of the project. CMA and AC Transit's goal is to deliver the Transit Signal Priority elements of the project by June 26, 2006.

On June 23, 2005, the CMA Board authorized the award of the "Controller Cabinet and 34th Avenue Bus Stop Improvements. The bids for the Broadway and Telegraph Avenue were received on July 14, 2005.

Three valid bids were received for the Broadway Project, and four valid bids were received for the Telegraph Project, as follows:

Broadway Project

Contractor	Location	Base Bid Items	Additive Bid Items*	Total Bid
Ray's Electric, Inc.	Oakland, CA	\$331,980.00	\$258,190.00	\$590,170.00
Stieny and Company Inc.	Vallejo, CA	\$369,611.00	\$314,897.00	\$684,508.00
Manual Brothers Inc.	Grass Valley, CA	\$924,280.00	\$546,222.00	\$1,470,502.00
<i>Engineers Estimate</i>		<i>\$483,950.00</i>	<i>\$387,100.00</i>	<i>\$871,050.00</i>

*May be awarded if all projects are within budget.

Telegraph Project

Contractor	Location	Base Bid Items	Additive Bid Items*	Total Bid
Stieny and Company Inc.	Vallejo, CA	\$3,361,154.00	\$319,199.00	\$3,680,353.00
Tennyson Electric, Inc.	Livermore, CA	\$3,865,107.00	\$274,650.00	\$4,139,757.00
Manual Brothers Inc.	Grass Valley, CA	\$3,885,882.50	\$390,240.00	\$4,276,122.50
Rosendin Electric, Inc	San Jose, CA	\$4,874,650.00	\$525,350.00	\$5,400,000.00
<i>Engineers Estimate</i>		<i>\$3,777,325.00</i>	<i>\$421,750.00</i>	<i>\$4,199,075.00</i>

*May be awarded if all projects are within budget.

For both projects, the low bidders are below the Engineer's Estimate. Therefore the bids are deemed reasonable.

CMA staff will be reviewing the bid bonds and the bids for the low bidders. If for any reason, the low bidder(s) are unable or unwilling to sign the contract, or there are problems with their bonds or bids, CMA has the right to enter into contract with the next bidder and to use the bid bonds from the low bidder(s) to recover any cost differences or expenses to enter into contract with the next bidder.

CMA will initially award the Base Bid Items of work for both contracts, until the final bids for the Rapid Bus program are received. The final bid for the Rapid Bus Project is the E. 14th/International Boulevard, which is expected in August 2005. Once all bids are received, CMA and AC Transit staff will reassess the total contract costs and available funding. At that time, the Additive Bid items of work may be awarded if adequate funding is available for the entire project. Based on the current favorable bid results, the Additive Bid items of work would most likely be awarded.

In addition, due to the nature of this type of contract which includes significant retrofit of existing electrical systems, unknown factors will exist during the course of construction. A typical 10% contingency amount will be set aside for these unforeseen conditions, and appropriate contract change orders will be issued to address these conditions or other changes in work, if necessary. If additional funding beyond the 10% contingency is needed, staff will report back to the CMA Board to receive authorization for additional expenditure.